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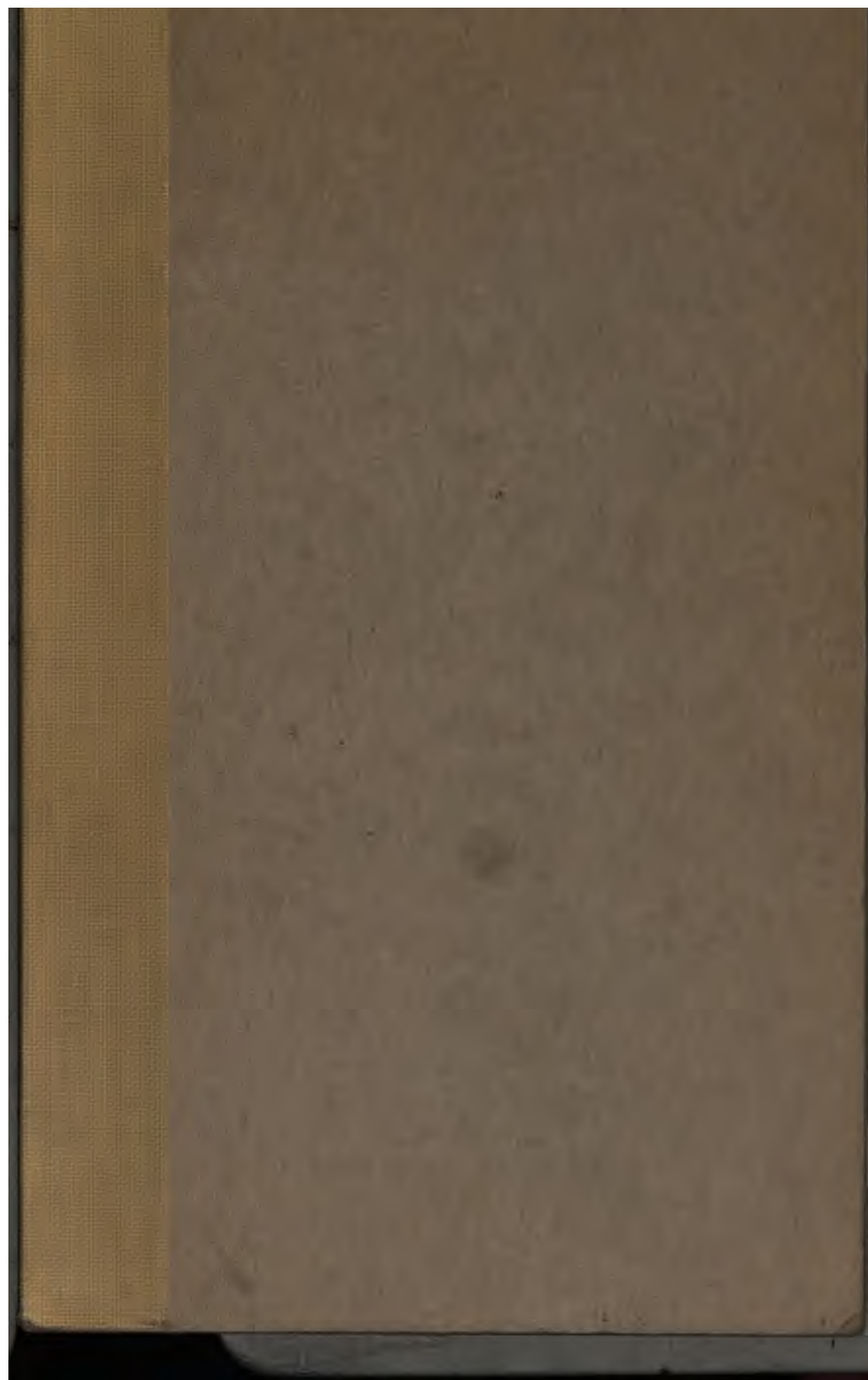
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# **"I TOOK THE ISTHMUS"**

**EX-PRESIDENT ROOSEVELT'S CONFESSION,  
COLOMBIA'S PROTEST**

**AND**

**EDITORIAL COMMENT BY AMERICAN NEWSPAPERS  
ON**

**"HOW THE UNITED STATES ACQUIRED  
THE RIGHT TO BUILD THE  
PANAMA CANAL"**

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**NEW YORK**

**1911**

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УВАЖАЮЩИ ОБОЗНАЧ

## FOREWORD.

√ There are in force to-day two public treaties pledging the United States to two opposite and irreconcilable things. By the treaty of 1846-8 with New Granada (now Colombia), the United States guarantees the rights of sovereignty and property of Colombia over the Isthmus of Panama; by the treaty of 1904 with Panama, the United States guarantees "the independence of the Republic of Panama" on the same Isthmus.

① The treaty of 1846-8 has always been regarded as one of the most important and advantageous ever entered into by the United States. It checked Great Britain's intention of grasping the most mercantile spot in the world, it enabled the United States to develop California at a time when there were no transcontinental railroads, and it gave easy and practical access to the Western shores of the American continent.

Under the terms of the treaty itself the United States' guarantee of the sovereignty and property of Colombia over the Isthmus was in payment of and as compensation for the advantages received. To this day the United States enjoys all the advantages received from Colombia under this treaty, which is still in force; but the flag of Colombia no longer floats over the Isthmus, and it is the United States itself which prevents Colombia from re-asserting her sovereignty over the Isthmus, which rightful sovereignty the United States pledged its honor as a nation to maintain and uphold.

The failure of the Colombian Senate in 1903 to ratify the Hay-Herran treaty, giving the United



States the right to construct the Panama Canal, was followed by the Panama revolution and the immediate recognition of the new republic by the United States which, by force of arms, prevented Colombia from suppressing the rebellion and maintaining her sovereignty.

The objections of Colombia to the Hay-Herran treaty were two-fold. The main objection was that, divested of all diplomatic jargon, the treaty provided for the sale to the United States of the canal zone, when such a surrender of the right of sovereignty and alienation of the national territory was in terms prohibited by the Colombian constitution.

The second objection was that the treaty entailed an abandonment of Colombia's reversionary right in the Panama Railroad, and made no equitable provision for a settlement between the New Panama Canal Company and Colombia looking to the payment by the former of just compensation to Colombia for the general release of concessionary obligations contemplated by the transfer of the company's property to the United States.

It is noteworthy that of all the amendments introduced into the Colombian Senate there was not one relating to the compensation, either in money or in any other form, that Colombia was to receive from the United States in exchange for the concessions granted by the former to the latter country. There is not the ghost of a shadow of justification for the oft-repeated falsehood that Colombia was trying to "hold up" the United States for more money.

What really prevented the ratification of the treaty was the position taken by President Roosevelt from the first, that the treaty prepared by the

attorney for the Panama Canal Company "covered the whole matter, and any change would be in violation of the Spooner law and not permissible."

This contention by the ~~then~~ President of the United States, that the Colombian Senate could not amend a treaty submitted to its consideration, reinforced by Secretary Hay's ultimatum, led the Colombian Senate to reject the treaty purely and simply, but it directed the Colombian government to continue negotiations with the United States with a view to a satisfactory settlement of the Panama Canal question.

The "revolution" on the Isthmus of Panama followed. It took place on November 3, 1903. There was no fighting and no bloodshed. The Colombian garrison was bribed in Panama, and in Colon also the same tactics were resorted to. It must be said, however, that the Colombian officer in command at Colon withdrew from the Isthmus only after the United States, which had its warships in readiness at Colon, had landed a force of marines to prevent the Colombian authorities from suppressing the rebellion.

Colombia is a weak nation compared with the United States. All she asks is that the United States shall submit to arbitration the question whether or not the steps taken by the United States to prevent Colombia suppressing the rebellion and maintaining her sovereignty over the Isthmus were in violation of the treaty of 1846-8.

Colombia's demands for arbitration have never even been answered, and the long-continued refusal of the United States to submit the purely legal question involved to the arbitration of the Hague tribunal, and to extend to a weak sister republic the broad principle of arbitration it is ready to

consent to such powerful nations as France and England, is construed all over Latin America as a confession of wrong-doing.

That this feeling has been strengthened almost to a point of conviction even in the United States itself, is evidenced by the editorial comment on "How the United States Acquired the Right to Build the Panama Canal," printed herewith in conjunction with ex-President Roosevelt's confession that he "took" the Isthmus, Colombia's protest and other documents bearing on the subject.

### MR. ROOSEVELT'S CONFESSION.

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"I am interested in the Panama Canal because I started it. If I had followed traditional conservative methods I should have submitted a dignified state paper of probably two hundred pages to the Congress and the debate would have been going on yet. But I took the canal zone, and let Congress debate, and while the debate goes on the canal does also."

*(From Theodore Roosevelt's speech to  
to the students of the University of Cali-  
fornia, at Berkeley, Cal., March 23,  
1911.)*

no further

✓





## COLOMBIA'S PROTEST.

March 28, 1911.

To His Excellency P. C. KNOX, Secretary of State,  
Washington, D. C.

Mr. Secretary: In order to place on record and to establish the proof of the facts asserted by Colombia in the course of the negotiations which have been carried on, and I trust will continue, between the two governments in connection with the events that took place in Panama in November, 1903, from the consequences of which Colombia is still suffering, I have the honor to set forth in this Note an article published in the *Washington Post*, No. 12,706, of the 24th inst.

### **I Took the Canal Zone.—T. R. Otherwise, He Avers, Congress Would Still Be Debating Subject.**

BERKELEY, Cal., March 23.—Speaking at the annual Charter Day exercises in the Greek Theatre of the University of California to-day, Theodore Roosevelt said:

"I am interested in the Panama Canal because I started it. If I had followed traditional conservative methods I would have submitted a dignified state paper of probably two hundred pages to the Congress, and the debate would have been going on yet.

"But I took the canal zone and let the Congress debate, and while the debate goes on, the canal does also."

This article upon which the press of the country comments with severity to-day, contains a public, deliberate and spontaneous declaration by the ex-President of the United States, Mr. Theodore Roosevelt, made in the presence of a most respectable body of young students, in a State destined more than any other to establish close and commercial relations with Colombia.

I send your Excellency the article referred to for what is may be worth as an historical or legal record or document, or rather as the spontaneous confession of a man who having been President of the United States at the time of the accession of Panama, to-day boasts of having committed an act of the most far reaching gravity against the country I have the honor to represent, and which the latter has left to the justice of this nation—the inheritor of the highest traditions of loyalty and honor.

As the fact whereof Mr. Roosevelt to-day boasts is the act committed by him in 1903, which at that time he described to Congress as "the greatest triumph of diplomacy in the century" and against which Colombia protested as being an act of war at a time when the two nations were at peace, and a flagrant violation of the public good faith of the United States pledged in the treaty signed in 1846 and ratified in 1848, I deem myself forced to renew to your Excellency, respectfully but firmly, that protest, in the name of the nation gratuitously, deeply and unexpectedly offended and injured.

It is a pleasure for the Colombian Minister to place on record here that this renewal of the protest against the events of 1903 does not affect, nor could it affect, the relations of Colombia with the present Government of the United States, far less



the high esteem in which she holds the spirit of justice that presides over all its acts. The hope that the dignity and rights of Colombia will some day be fully satisfied, is precisely based upon those qualities of honesty and loyalty which distinguishes the head of this great Republic, Mr. Taft. This hope is confirmed by the assurance which I have received that the army of the United States has not been moved,\* nor will it be moved, with the object of impairing the autonomy or the territorial rights of the Latin-American republics, and that in any case the President of the United States will always await, as his duty and his honor demand, and with the calm becoming his high office, the decision of the National Congress.

With sentiments of the highest consideration, I have the honor to subscribe myself, Mr. Secretary, your respectful and obedient servant,

(Signed) FRANCISCO DE P. BORDA,  
 Envoy Extraordinary and Minister  
 Plenipotentiary from the Re-  
 public of Colombia to the  
 United States.

To His Excellency the Secretary of State of the  
 United States, Washington, D. C.

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\*Referring to the mobilization of American troops in connection with the Mexican revolution.





(From *The New York Independent* of August 17,  
1911.)

## THE STAIN ON OUR FLAG.

BY HENRY G. GRANGER.

[The question of the claims of Colombia against the United States for its actions at the time of the secession of Panama comes up repeatedly, and will never be laid at rest until it is settled right. It seems to us that the Government of the United States has been mistaken in its policy of ignoring and neglecting the matter, thus laying itself open to the accusation of having something to conceal. In order to give the American people a clear understanding of the issues involved we have instructed Mr. Granger, who was formerly United States Consular Agent in Colombia, to go to Washington and make a careful study of the case. He has examined both sides of the controversy, and has obtained the opinions of a large number of prominent men on the question, some of which we print. *The Independent* long ago urged the settlement of Colombia's claims by negotiation or arbitration, and we shall doubtless present to the public some further considerations on the matter in the near future.—EDITOR.]

### I. The Facts of the Case.

On March 23, 1911, ex-President Roosevelt, in an address at the University of California, quoted in the *New York World*, *New York Tribune* and other leading papers, said:

"I am interested in the Panama Canal because I started it. If I had followed traditional, conservative methods I would have submitted a dignified state paper of probably two hundred pages to Congress, and the debate on it would have been going on yet; but I took the Canal Zone and let Congress debate, and while the debate goes on, the canal does also."

On March 28, the Colombian Minister to the United States, Senor Borda, called the attention

of Secretary Knox to the above in a note from which we quote the following:

"As the fact whereof Mr. Roosevelt to-day boasts is the act committed by him in 1903, which at that time he described to Congress as 'the greatest triumph of diplomacy in the century' and against which Colombia protested as being an act of war at a time when the two nations were at peace, and a flagrant violation of the public good faith of the United States pledged in the treaty signed in 1846 and ratified in 1848, I deem myself forced to renew to your Excellency, respectfully but firmly, that protest, in the name of the nation gratuitously, deeply and unexpectedly offended and injured."

On April 6, Congressman Henry T. Rainey, of Illinois, introduced the following resolution into the House: *- passed?*

"Whereas, A former President of the United States has declared that he 'took' Panama from the Republic of Colombia without consulting Congress; and

"Whereas, The Republic of Colombia has ever since petitioned this country to submit to The Hague Tribunal the legal and equitable question whether such taking was in accordance with or in violation of the treaty then existing between the two countries, and also whether such taking was in accordance with or in violation of the well-established principles of the law of nations; and

"Whereas, The Government of the United States professes its desire to submit all international controversies to arbitration and has conducted treaties with many other na-



tions agreeing to submit all legal questions to arbitration, but has steadily refused arbitration to the Republic of Colombia: Therefore be it

“Resolved, That the Committee on Foreign Affairs of the House of Representatives be, and the same hereby is, directed to inquire into the same; send for books, papers, and documents, summon witnesses, take testimony and report the same, with its opinion, and conclusions thereon, to this House with all convenient speed.”

Ever since November 3, 1903—the date of the secession of Panama—Colombia has made strenuous efforts to have her claims settled. She very soon recognized, however, that the political status of Panama and the Canal work in progress there made the restitution of the lost State impossible. But she has ever claimed that the United States acted contrary to the first principles of international law and in direct violation of the treaty of 1846 in prematurely recognizing the independence of Panama, and asks that the case be referred to the Hague Court with power to fix damages. Up to the present moment, however, the United States has disavowed all responsibility in the matter, simply offering to mediate between her and Panama.

This request for arbitration on the part of Colombia seems a most reasonable one and I propose to devote the following article to showing why the United States should forthwith consent either to take the case to the Hague Court, or, adopting the more manly course of acknowledging error, make voluntary payment of damages for the wrong done.

The treaty of 1846 between Colombia (then called New Granada) and the United States says (Article 35):

“The United States guarantees positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence, the United States also guarantees in the same manner the rights of sovereignty and property which New Granada has and possesses over said territory.”

In 1869 another treaty was negotiated between Colombia and the United States under which the latter was to build a ship canal at the Isthmus of Panama. This treaty was signed by the Presidents of Colombia and of the United States and duly ratified by the Colombian Congress, but our Senate refused to ratify the treaty. That time, therefore, it was the United States that prevented the construction of the Canal.

On January 22, 1903, for the second time a treaty for building the Canal was signed at Washington between Colombia and the United States known as the Hay-Herran treaty. After a hard campaign led by Senator Cullom against the forces favoring the Nicaragua route under Senator Morgan, the United States Senate ratified the treaty on March 17, 1903, but it was rejected on August 12 by the Colombia Congress.\*

\* The full story can be found in the United States Document No. 51. of the Second Session of the Fifty-eighth Congress and the Libro Azul (Blue Book), published in Bogota in 1904 by the Ministry of Foreign Relations.



It is interesting to note that there is no evidence whatever to sustain the report circulated at the time that the Colombian Government attempted to "hold up" the United States Government for a larger sum than the \$10,000,000 stipulated by the treaty. The United States undertook to give the \$10,000,000 in order to get ample time for the completion of the Canal. Had the United States simply bought out the New French Canal Company, which was the successor of the bankrupt De Lesseps Company, without previous extension from Colombia, the concession would have lapsed long before the Canal could possibly be completed. The New French Canal Company had never had the capital or the force to finish the Canal, nor had it attempted to do more than make the barest show of work while maintaining a Micawber-like attitude toward the United States Government. That this was good policy and proved a lucky speculation was shown by the fact that they secured \$40,000,000 from the United States for their property that had a short time before been reported offered for \$6,000,000. The official records of the United States show that if Colombia had been allowed to deal with the French Company, as was her right by the Hay-Herran Treaty, quoted below, and to exact from it a sum which under the circumstances was within reason, the Hay-Herran Treaty would have been ratified in 1903 or at the following session and the United States have secured all it desired in a perfectly proper and legitimate manner.

The Hay-Herran Treaty recites under Article I.:

"But it is understood that Colombia reserves for herself all her rights to the special shares in the capital of the New Panama Canal

Company \* \* \* which shares shall be paid to her *at least for their nominal value*; but as Colombia holds this right only as shareholder in said company this stipulation does not impose any obligation on, nor is any assumed by, the United States."

Yet one week after the signing of this treaty, the Paris managers of the syndicate had declared Colombia's 50,000 shares "non-negotiable," which was nothing more nor less than a repudiation of Colombia's interests in the company as recognized under the Hay-Herran Treaty. So Colombia received nothing for her interest in the French Canal Company, for the \$40,000,000 went to the French syndicate and the \$10,000,000 offered in the Hay-Herran Treaty went eventually to Panama.

The two most active representatives of the French syndicate during all these negotiations were Mr. William Nelson Cromwell, a New York lawyer, and M. Philippe Bunau-Varilla, of Paris. These two gentlemen at first worked diligently with Herran to defeat the Nicaragua route, but as soon as this was accomplished they devoted their efforts to keeping Colombia out of any part of the \$40,000,000 given by the United States to the French syndicate.

Let us see how Mr. Hay, in a cable to our Minister to Bogota, was made to put the screws on Colombia:

+ "If Colombia should now reject the treaty or unduly delay its ratification, the friendly understanding between the two countries would be so seriously compromised that action might be taken by the Congress next winter which every friend of Colombia would regret. Con-

fidential. Communicate substance of this verbally to the Minister of Foreign Affairs. If he desires it, give him a copy in form of memorandum."

The nervousness that this cable naturally aroused might have been allayed by the reading of Article 35 of the treaty of '46 wherein we guaranteed Colombia's sovereignty over the Isthmus, but it can be assumed that the correspondence did not make for cordiality, nor facilitate the efforts of such friends of the United States as Reyes and Ospina who, being leaders in industrial development and appreciating the benefits that would result from the opening of the Canal, bent every effort in favor of ratification.

This treaty, as we have said, was rejected by the Colombian Congress, as might reasonably have been anticipated. Mr. Baupré then wired Mr. Hay that a special envoy would be sent to Washington to renew Canal negotiations. He had already shown that the following Congress would be so constituted as to ratify the Hay-Herran Treaty. To this Mr. Hay replied on August 22:

"Referring to your telegram 17th, if you find disposition on the part of Colombia to ask terms more favorable to Colombia than those heretofore negotiated, you may intimate orally, but not in writing, that it will be useless to send a special envoy."

This showed that the Administration was firm for the cause that would protect Mr. Cromwell and his associates in the enjoyment of their full \$40,000,000.

The knowledge that a body of Colombian troops was on the way to the Isthmus on the cruiser "Cartagena" brought quick action. On November 2, *the day before the secession*, Acting Secretary of the



Navy Darling wired as follows, to the Commander of the "Nashville," in care of the American Consul at Colon:

"Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello or other point. Send copy of instructions to the senior officer present at Panama upon arrival of 'Boston.' Have sent copy of instructions and have telegraphed 'Dixie' to proceed with all possible dispatch from Kingston to Colon. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required."

The same order was sent to the Commander of the "Dixie" at Kingston, and a similar one to the "Marblehead" at Acapulco. The "Maine," "Boston," "Atlantic," "Concord" and "Wyoming" were also ordered to hurry to the Isthmus.

The following messages from Commander Hubbard, of the "Nashville," who was another and indeed the principal factor in the successful issue of the coup, tell their own story:

"COLON, November 3, 1903.

"SECNAV, Washington, D. C.:

"Receipt of your telegram of November 2 is acknowledged. Prior to receipt this morning about 400 men were landed here by the Government of Colombia from Cartagena. No revolution has been declared on the Isthmus and no disturbances. Railway company have declined to transport these troops except by

request of the Governor of Panama. Request has not been made. It is possible that movement may be made to-night at Panama to declare independence, in which event I will \* \* \* (message mutilated here) here. Situation is most critical if revolutionary leaders act.

"HUBBARD."

COLON, November 4, 1903.

"SECNAV, Washington:

"Provisional government was established at Panama Tuesday evening; no organized opposition. Governor of Panama, General Tobar, General Amaya, Colonel Morales, and three others of the Colombian Government troops who arrived Tuesday morning taken prisoners at Panama. I have prohibited transit of troops now here across the Isthmus.

"HUBBARD."

What is to be thought of the above quoted statement that there was "no organized opposition," the same message announcing that the American Commander who signed the message had "prohibited transit of troops" whose transit across the Isthmus would have been preceded by the "taking to the woods" of all concerned.

There was no intention of letting Colombia retake the Isthmus, as a sample telegram of Secretary Moody's shows:

"DIEHL, Boston:

"Upon the arrival of the 'Marblehead' sufficient force must be sent to watch movements closely of the British steamers seized at Buenaventura and to prevent the landing of men with hostile intent within limits of the state of

**Panama.** Protect the British steamers if necessary."

So much for the military aspects of the movement, in which the total death roll was one Chinaman killed by one of the three shots fired from the "Bogota" the night of the "secession." How Commander Hubbard overawed the Colombian troops at Colon with the Stars and Stripes and American marines, and how our officers prevented all attempts of Colombia to recover the Isthmus, are matters of record. . .

The day following the "secession" some hours before even the municipality of the city of Panama, the stronghold of Chinese, foreign merchants and Jamaica negroes, had ratified the act, the executive committee of the insurrectionary movement, consisting of Messrs. Arango, Boyd and Arias, sent the following cable:

"**SECRETARY OF STATE, Washington:**

"We take the liberty of bringing to the knowledge of your Government that on yesterday afternoon, in consequence of a popular and spontaneous movement of the people of this city, the independence of the Isthmus was proclaimed and, the Republic of Panama being instituted, its provisional government organizes an (executive) board consisting of ourselves, who are assured of the military strength necessary to carry out our determination."

The day following, November 5, they cabled Mr. Hay announcing the appointment of M. Bunau-Varilla as confidential agent at Washington. The next day he was appointed in a cable to Mr. Hay as Minister Plenipotentiary and Envoy Extraordinary from the Republic of Panama (!) "with full pow-

ers to conduct diplomatic and financial negotiations."

On Friday, November 13, Bunau-Varilla was officially received by the President, in the escort of Acting Secretary of State Loomis. This was the earliest date at which his letters could arrive by steamer from the Isthmus.

Five days later the Canal Treaty was signed, whereby Colombia's emoluments of \$10,000,000 went to the Panamanians and the \$40,000,000 was delivered through J. P. Morgan & Co. to Cromwell, Bunau-Varilla, Harriman and their associate holders of French Company shares—this long before Panama had anything resembling a constitution, before she had held an election, or had in any way proved her right to membership in the sisterhood of nations.

In view of the official telegrams quoted it is not necessary to say either when, or in presence of whom, or what United States naval officer at the Isthmus during the "secession" told me that "the Panamanians were a set of sheep; our boys had to do it all."

Now I will take up the arguments and finally the possible methods of settlement and some weighty opinions concerning them.

## II. The Arguments.

As to the achievement of the independence of Panama, let us bear in mind that the only arms raised in her cause were the rifles of a handful of disloyal Colombian troops under the command of the traitor Esteban Huertas, frankly purchased for \$35,000 silver by the Panama Junta. These traitors would not have lasted more than a few minutes

against the 450 Colombian troops that landed in Colon under General Tovar on the morning of November 3, the very day of the so-called secession. But these were prevented from going to Panama by the marines and gunboats of the United States. Much less could the Huertas forces have resisted the thousands of troops that, under General Reyes, Ospina and Holquin, were prevented from landing on Panama soil by American forces.

Never was anything written in the annals of nations more remarkable than the instant recognition of a government not yet formed, in a country but a small fraction of whose inhabitants had heard of its secession, where not a shot was fired in its defense, where the only reliance was on the purchased traitors of the mother country and on the force of the great nation that was in honor bound by treaty to maintain its integrity. And all this was supplemented by the reception as Panama's Minister Plenipotentiary of a non-resident alien whose only interest was the valorization of the shares of a speculative company.

After the secession General Reyes was appointed by Colombia Special Commissioner to the United States to present his claims to our Government. In his note to Mr. Hay of December 23, 1903, he quotes from a note of instruction from Secretary Seward to Mr. Adams during our Civil War as follows:

"A nation that recognizes a revolutionary State, with a view to aid its effecting its sovereignty and independence, commits a great wrong against the nation whose integrity is thus invaded, and makes itself responsible for a just and ample redress."



And General Reyes adds:

"It would seem that nothing could be added to the benevolence of those noble and humanitarian doctrines, written by the great man who, unhappily for his country and for Colombia, is not living to-day."

The first article of the treaty of 1846 says:

"There shall be a perfect, firm and inviolable peace and sincere friendship between the United States of America and the Republic of New Granada [Colombia] in all the extent of their possessions and territories and between their citizens, respectively, without distinction of persons or places."

General Reyes comments on this as follows:

"If the United States repels by force the action of our armies in Panama, is not this a clear violation of this article, since peace in one of the Colombian territorial possessions is broken?"

It would be very illuminating to make many quotations from the voluminous diplomatic correspondence resulting from the Panama secession, and, though lack of space forbids, attention must be called to a few of the dispatches.

On June 10, 1903, while the Hay-Herran Treaty was before the Colombian Congress, Minister Beaupré cabled Mr. Hay:

"SIR—The local agent of the Panama Canal Company has informed me that he had received an official note from the Colombian Government, stating that it did not think that the convention would be ratified, because of the opinion that the compensation was insufficient, but that if the canal Company would pay to

Colombia about \$10,000,000 ratification could be secured."

Mr. Hay replied :

"Instructions heretofore sent to you show the great danger of amending the treaty. This Government has no right or competence to covenant with Colombia to impose new financial obligation upon canal company and the President would not submit to our Senate any amendment in that sense, but would treat it as voiding the negotiation and bringing about a failure to conclude a satisfactory treaty with Colombia."

A previous dispatch was as follows :

"WASHINGTON, April 7, 1903."

"AMERICAN MINISTER, Bogotá :

"Referring requests Colombia to canal and railroad companies for appointment agents negotiate cancellation present concessions, etc.

"If subject arises, inform Colombian Government that treaty covers entire matter and any change would be in violation of Spooner law and not permissible.

"HAY."

Some have thought that the foregoing indicate a desire also to safeguard certain powerful private interests.

With the enormous profits of the Suez Canal before their eyes; with the knowledge that for over a generation the Panama Railroad had been the most profitable road on earth, for its mileage; with a plan drawn up under which holders of shares in the French Company would reap an enormous profit, while the Colombian Government would be practically little better off than with her railroad

revenue, it is no wonder that public opinion in Colombia was hostile to the ratification of the treaty.

Unquestionably it was provoking to the Roosevelt administration not to have the treaty promptly ratified, just as was our Senate's inaction in 1869 a grievance to the Colombians when they had signed with us a canal treaty which was duly ratified by their Congress but refused by us. Great annoyance was shown by Mr. Hay during the negotiations at President Marroquin's attempt to exact a settlement from the French Company. But although Colombia ceased these attempts on Mr. Hay's protest, the fact that Colombia was the second largest shareholder in the French Company would seem to have given her more than a shadow of reason for her demand.

The opposition on the part of Colombia to the ratification of the treaty was chiefly due to two causes:

*First*—The belief in the impracticability of the Nicaragua route as an alternate. 7

*Second*—The fact that by simply sitting tight a reasonably short time the entire property for which the United States was ready to give \$40,000,000 would go to Colombia by lapse of contract. Colombia, on the supposition that she was not to be a victim of international highway robbery, certainly had the whip hand, and in the following session of Congress could readily have forced the French Company to hand her another \$10,000,000 or lose all by lapse of time. Good.

On the other hand, the treaty of 1846, which was Colombia's guarantee, and whose violation on the part of the United States is the basis of the controversy, provided a solution of the question if Mr.



Roosevelt had chosen to apply it. Section III. of Article 35 says:

“the said treaty shall continue binding on both parties, beyond the twenty years, until twelve months from the time that one of the parties notifies its intention of proceeding to a reform.”

A simple notification of Mr. Hay after the ratification seemed doubtful would have brought the Colombian Congress to a realizing sense of danger and secured the immediate ratification of the treaty. But this notice was not given, and on its own records the United States stands convicted of bad faith, and all the sophistry of those implicated will not relieve her of her duty to give satisfaction to dismembered Colombia.

Under date of October 21, 1905, the Colombian Minister at Washington, Senor Mendoza, presented a thorough recapitulation of events, and urged arbitration of the differences between the two countries. In a subsequent note on April 6, 1906, to which our State Department has never made any reply, Minister Mendoza says:

“I note the fact that in your communication [Secretary Root's] it is stated for the first time, on behalf of your Government, that the United States espoused the cause of Panama, the language being:

“‘Nor are we willing to permit any arbitrator to determine the political policy of the United States in following its sense of right and justice by espousing the cause of this weak people against the stronger Government of Colombia, which had so long held them in unlawful subjection?’

"I must say that the question between Colombia and the United States is not whether Panama was justly entitled to assert independence, but whether the United States was under obligation, by treaty or by principles of international law, not to do the things which it is admitted were done by the United States after the declaration of Panama's independence was made.

"If the acts of the United States were lawful and right, this loss must fall upon Colombia. If, on the other hand, this loss was wrongfully occasioned by acts of the United States done in violation of the provisions of the treaty by which the United States has obligated itself, or in violation of principles of international law to which the United States has assented, then the United States is lawfully bound to compensate Colombia for the damage thus done to her.

"In order to facilitate a decision by the Government of the United States, in case it cannot yet see that it is lawfully bound to compensate Colombia, I propose on behalf of Colombia that the United States and Colombia forthwith enter into a convention for the purpose of securing an impartial judgment upon the following strictly legal questions:

"1. Did the treaty of 1846 obligate the United States to maintain the sovereignty of Colombia over the Isthmus of Panama against menace or attack from any foreign power and against internal disturbances that might jeopardize said sovereignty?

"2. Did the treaty of 1846 obligate the United States to refrain from taking steps which would hinder Colombia in maintaining

her sovereignty over Panama by suppressing rebellion, revolution, secession, or internal disorder?

"3. Did the treaty of 1846 grant to the United States the right to take those steps which it is admitted were taken by the United States to prevent the landing of troops in Panama and the suppression of the rebellion?

"4. Did the treaty of 1846 leave the United States free lawfully to take the steps which it is admitted by the United States were taken as regards Panama?

"5. Did these acts of the United States, which it is admitted were taken, prevent Colombia from taking the steps necessary to suppress the rebellion and maintain her sovereignty over the Isthmus?

"6. Were the admitted acts of the United States in respect to Panama in violation of principles of international law which have been recognized by the United States as binding upon nations in their dealings with each other?

"7. What damage, if any, has been occasioned to Colombia by acts of the United States which are admitted by the United States, and which may be adjudged as having been in violation of obligations imposed upon the United States by the treaty of 1846 or by principles of international law to which the United States has assented?"

The foregoing diplomatically astute communication, from which we have quoted only a few extracts, as well as Minister Borda's recent protest based on the published reports of Mr. Roosevelt's Berkeley speech ("I took the Isthmus"), make it

apparent that it is up to the United States to come to terms. What these should or might be will next be taken up, with some weighty opinions on the subject.

### III. Our Duty.

In response to Colombia's claim for indemnity for the loss of Panama there are three courses open to the United States.

*First.* Let things stand as they are, continuing to ignore Colombia's claim and arguments.

*Second.* Refer the dispute to arbitration, which would naturally mean the Hague Court.

*Third.* Settle direct with Colombia through diplomatic channels.

In the light of the facts and arguments presented in these pages, let us consider the desirable procedure for our Government. We now have a chief executive who for the first time in the annals of history says as the head of a great nation that he is willing to refer "*all*" disputes, even those supposed to involve national honor, and he has already negotiated treaties to this effect with England and France. But before international law, all nations, great and small, stand on an equal footing. Why should he not magnanimously treat Colombia as an equal, removing her cause of grievance and hatred?

Colombia claims that we broke the treaty of 1846, and that but for us the planning, execution and maintenance of Panama's *coup* would have been impossible. The facts from our official records corroborate her claim. She does not ask the impossible return of Panama, but simply a settlement of the damages she has suffered, either by direct negotiation or by reference to The Hague. Is not this perfectly reasonable?

One New Yorker recently returned from a business tour of the tropics said to me: "On account of the feeling against us in Latin America because of the Panama affair we have lost in trade more than the whole Canal will cost."

Mr. Roosevelt's declaration, "I took the Isthmus," does not, of course, alter the ethics of the affair, but being an avowal from the responsible Executive simply makes it more than ever imperative, now that the heat of the ardent desire to see the Canal started is past, and the work is nearing completion, to see that justice is done so effectively that the reputation of the United States for fair dealing shall be re-established throughout the world, and especially in Latin America.

As to the present status of affairs with reference to Colombia, Mr. John Barrett, in a recent interview, said:

"Owing to the fact that, in my opinion as Director General of the Pan-American Union, I am an international officer, that is, an official alike of the United States, Colombia and Panama, it is absolutely forbidden that I should express a political opinion as to the right and wrong involved in any issue between these countries, or as to the best method of settlement. I can, however, in a personal capacity say that, because of my cordial personal feelings toward the Colombian people and the Colombian Government, I would welcome such action on the part of the United States Government as would help remove the feeling against the United States which undoubtedly prevails to a certain extent in Colombia to-day on account of the Panama question. \* \* \* Such action would prove to be bread cast on the waters of both friendship and trade, and



would soon be shown to be a wise policy through the increased commerce and confidence that would result from a new era of good will in this way inaugurated."

Shall the claim be settled by direct payment on behalf of our Government or by reference to The Hague to ventilate the whole question and assess the damages?

We have already seen that Representative Rainey is active for an examination of the whole subject, and favors reference to The Hague. Speaker Champ Clark, prospective standard-bearer of the Democratic party, said:

"I do not really see what President Roosevelt's declaration 'I took the Isthmus, let Congress debate,' had to do with an honest settlement of any claims that Colombia has against the United States. If we owe Colombia anything, it ought to be paid, and, if we do not owe her anything, her claims for indemnity ought to be rejected. I feel reasonably certain that before Congress votes any money to pay her claims for indemnity it will sift the transaction to the bottom. Never having investigated the matter sufficiently, I am not in a position to pass on the merits of her claims."

Mr. Sulzer, of New York, the chairman of the important Committee on Foreign Relations of the House of Representatives, said:

"I am heartily in favor of the Rainey resolution as a non-partisan measure in the interests of justice and national honor. In my opinion the resolution will be reported unanimously. There can be no question of undoing the establishment of Panama as a separate nation, but the responsibility of the United States

in the matter of its 'secession' and the alleged violation of all international law and precedents should be thoroughly ventilated; and I trust that the matter will be laid before the Hague Court whose decision shall impose upon the United States a payment in full for such damage as we may be found to have caused Colombia for the loss of the Isthmus."

Senator Gallinger, of New Hampshire, has given this subject careful consideration and is willing to have "The Independent" say for him that

"If there ever was a question that was appropriate for consideration at The Hague, this matter of Colombia's claim against the United States in regard to the loss of Panama, in my opinion, is certainly suitable for such a solution. I earnestly desire to see such steps taken as will leave the whole matter to The Hague Court and thus enable the United States to make such settlement of the matter as is called for by the impartial study of the facts. Of course the independence of Panama cannot now be called in question but simply the matter of our indemnity to Colombia for her loss."

Not all, however, are of the opinion that the case calls for arbitration. Senator Newlands, of Nevada, one of the advanced thinkers of the day and a man of great influence at the national capital, in discussing the matter of Colombia's claims, said:

"I am a hearty advocate of the arbitration of all controversies. But I seriously question whether the matter of Colombia's claims against the United States is one that should be left to The Hague. There can be no question of disestablishing the independence of Panama



now recognized as a republic by most of the nations of the world. The only question under the present circumstances is the matter of the indemnity due Colombia for our having broken the treaty of 1846, in assisting the secession and preventing Colombia from taking action to squelch the establishment of Panama as an independent nation; and our hasty recognition of Panama without the usual accepted precedents of national life. The evidence on these points is so clear that any court of arbitration would find against the United States and I should favor the payment on our part of an indemnity which would be the maximum that a fairly constituted court of arbitration could find, viz., \$10,000,000 a sum equal to that paid Panama, and a further sum which at interest after nine years' accumulation would yield Colombia \$250,000 per annum. By such payment we would completely clear our skirts and restore the good will of the Spanish-American countries, so essential in the development of our commerce. I would not make this payment in a direct lump sum to whoever chanced to be the President of Colombia, but make the payment according to the unanimous opinion of a representative of Colombia's treasury and one of the treasury of the United States in such a way as to insure the money being used in the best possible manner for the restoration of Colombia's credit and the benefit of her commerce."

Senator Bacon, of Georgia, when asked his opinion, presented me with a copy of his speech in the Senate on January 29, 1904, as representing his sentiments then and now. After his powerful gen-



eral argument, he quoted from an editorial in "The Independent" the following:

"Under proper provisions, we should favor such a reference to The Hague Court of the main question between Colombia and this country. Whether our officers were right or wrong, we ought to be equally ready to abide by the verdict of such an august tribunal of the nations."

Senator Bacon also said in the course of his speech:

"I am strongly of the opinion that the very best investment we could make in connection with this matter would be a liberal concession to that country which would remove the present feeling of hostility and make those people our friends in the future. \* \* \*

"The question of submission to arbitration is not the first or the main question in the resolution. It is the secondary question and the minor consideration. The main proposition and the one of greatest importance is that we will in a conciliatory spirit endeavor to agree with Colombia. \* \* \*

"We should, as his constitutional advisers, say to the President 'We advise that there shall be such conciliatory negotiations between this country and Colombia as will bring about, as soon as practicable, a friendly condition of affairs.' \* \* \*

"Do we delay because the great United States are too proud, too vainglorious, to offer conciliation to a feeble people powerless to cope with it? I am sure, sir, that this is not the wish of the American people, but that, on the contrary, it is their wish that examina-

tion be made and that whatever is due to Colombia from us shall be paid in liberal measure. \* \* \*

"Is there any dishonor in our negotiating with Colombia that she shall make a quit-claim to that title? \* \* \*

"I am, sir, willing for one, and I believe the American people are willing, that we should deal liberally with the Colombians, because, I repeat, what are a few paltry millions to this great Government compared with the great advantage to this Government of making a friendly, satisfactory arrangement with that people?"

In view of the opinions quoted, the fairmindedness evidenced by all, and the strong desire to do justice to Colombia avowed by some, my own conclusion can be brief:

We want the good will of Colombia, as that of all Latin-America, and the respect of the entire world. But do we want an arbitration where the United States would certainly receive an adverse decision after a worldwide ventilation of the whole disgraceful tale? I think not. As Mr. Barrett said, settlement with Colombia would be simply bread cast on the waters of Latin-American trade, which would come back to us in short order in the increased commerce that would result from the good feeling engendered.

Since the "secession" Colombia has had as its motto "Peace and Work." Its government is representative of both political parties. Reyes began its regeneration—he doubled the price of Colombia's bonds on the London Exchange, put the army to work on the roads, and paid the salaries of the employees, as well as trebling the number of schools. Gonzales Valencia, who succeeded



Reyes, kept up the good work. Now President Restrepo has placed the country's credit higher than ever and shown a most creditable record.

Colombia's worst drawback is her fiat money, a relic of the days of the civil war (1899-1902) that all agree shall be her last. With this redeemed and the currency on a gold basis, she would soon be prosperous indeed. Colombia is a country of infinite natural resources and industrious inhabitants, and a brilliant future awaits her as soon as the curse of valueless papers is removed. The prosperity which resulted in Argentina when the basic element of circulating medium was supplied will follow as surely in Colombia.

A payment to Colombia of \$25,000,000, in the manner suggested by Senator Newlands, and a new treaty of friendship and commerce, would be an excellent investment for us, and would completely wipe out the smirch on our honor.

In conclusion, a very brief summary of the facts shows:

*First*—That while the Hay-Herran Treaty was under consideration, our Government attempted to coerce Colombia by threats of hostile action.

*Second*—That our Government had knowledge long in advance of the proposed secession of Panama.

*Third*—That the very day before "secession" was proclaimed our Government, being at peace with Colombia, broke neutrality and intervened in the internal affairs of Colombia, and forcibly prevented our sister republic from landing troops on her own soil that would have quickly put down the rebellion.

*Fourth*—That after the "secession" our Government, not that of Panama, prevented larger bodies

of Colombian troops under Generals Reyes, Ospina and Holquin from reaching Panama, as was their right.

*Fifth*—That our Government precipitately recognized Panama as a nation before any proper government had been formed or before any but a small minority of the people had knowledge of her secession.

*Sixth*—That our Government received as Minister Plenipotentiary of Panama an alien, who was at the time a French subject and was neither a citizen of Colombia nor of Panama, but who was with certain individuals in the United States deeply interested in the shares of the French Canal Company, that were to be made valuable by the "secession."

*Seventh*—That the Panama Government could not have maintained its existence for a single day but for the direct or forcible aid of the United States Government, in clear violation not only of international law but of its obligations to Colombia under the treaty of 1846.

In view of these seven facts, I ask:

Would our government have acted as it did had Colombia been as strong a power as the United States?

If not, then is not weak Colombia entitled to reasonable compensation for the seizure by our strong government of a valuable part of Colombia's territory, using for the purpose the raw Panama Government as a cats-paw?

Can our government, which, from humanitarian motives, returned twelve millions of dollars to China and spent a hundred million to free Cuba, refuse equitably to compensate Colombia?





## **FROM SENATOR CULLOM'S "FIFTY YEARS OF PUBLIC SERVICE."**

"When Roosevelt was completing the rape of Panama, he sent for Hoar to induce that senator to support him. Cullom was present. The President wanted Hoar to read the message he had prepared, and he explained his position to Hoar "in his usual vigorous fashion," trying to get the senator's attention to the message. Senator Hoar seemed averse to reading it, but finally he sat down, and without seeming to pay any particular attention to what he was perusing, he remained for a minute or two, then arose and said:

**" ' I hope I may never live to see the day when the interests of my country are placed above its honor. ' "**

"He at once retired from the room without uttering another word, proceeding to the Capitol.

"Later in the morning he came to me with a type-written paper containing the conversation between the President and himself, and asked me to certify to its correctness. I took the paper and read it over, and as it seemed to be correct, as I remembered the conversation, I wrote my name on the bottom of it. I have never seen or heard of the paper since."



(From *The Outlook* of October 7, 1911.)

## **HOW THE UNITED STATES AC- QUIRED THE RIGHT TO DIG THE PANAMA CANAL.**

EDITORIAL BY THEODORE ROOSEVELT.

No other great work now being carried on throughout the world is of such far-reaching and lasting importance as the Panama Canal. Never before has a work of this kind on so colossal a scale been attempted. Never has any work of the kind, of anything approaching the size, been done with such efficiency, with such serious devotion to the well-being of the innumerable workmen, and with a purpose at once so lofty and so practical. No three men in the service of any government anywhere represent a higher, more disinterested, and more efficient type than the three men now at the head of this work—the Secretary of War, Mr. Stimson; Colonel Goethals, the man who is actually doing the digging; and Dr. Gorgas, who has turned one of the festering pest-holes of the world into what is almost a health resort. In eighteen months or so the Canal will probably be in a shape that will warrant sending small vessels through it to test its actual working. Under these circumstances, it is worth while to remember just how it was that America won for itself and the world the right to do a world-job which had to be done by some one, and the doing of which by anyone else would have been not merely a bitter mortification but a genuine calamity to our people.



On December 7, 1903, and again on January 4, 1904, as President of the United States, in Messages to the two houses of Congress, I set forth in full and in detail every essential fact connected with the recognition of the Republic of Panama, the negotiation of a treaty with that Republic for building the Panama Canal, and the actions which led up to that negotiation—actions without which the Canal could not have been built, and would not now have been even begun. Not one important fact was omitted, and no fact of any importance bearing upon the actions or negotiations of the representatives of the United States not there set forth has been, or ever will be, discovered, simply because there is none to discover. It must be a matter of pride to every honest American, proud of the good name of his country, that the acquisition of the Canal and the building of the Canal, in all their details, were as free from scandal as the public acts of George Washington and Abraham Lincoln.

The facts were set forth in full at the time in the two Messages to which I have referred. I can only recapitulate them briefly, and in condensed form. Of course there was at the time, and has been since, much repetition of statements that I acted in an "unconstitutional" manner, that I "usurped authority," which was not mine. These were the statements that were made again and again in reference to almost all I did as President that was most beneficial and most important to the people of this country, to whom I was responsible, and of whose interests I was the steward. The simple fact was, as I have elsewhere said, that when the interests of the American people imperatively demanded that a certain act should be done, and I had the power to do it, I did it unless it was

specifically prohibited by law, instead of timidly refusing to do it unless I could find some provision of law which rendered it imperative that I should do it. In other words, I gave the benefit of the doubt to the people of the United States, and not to any group of bandits, foreign or domestic, whose interests happened to be adverse to those of the people of the United States. In my judgment, history had taught the lesson that the President has very great powers if he chooses to exercise those powers; but that, if he is a timid or selfish man, afraid of responsibility and afraid of risks, he can of course manufacture ingenious excuses for failure to exercise them. At a great crisis in American history Mr. Buchanan had shown himself to belong to the latter type of President; Mr. Lincoln had represented the other type, the type which gave the people the benefit of the doubt, which was not afraid to take responsibility, which used in large fashion for the good of the people the great powers of a great office. I very strongly believed that Abraham Lincoln had set the example which it was healthy for the people of the United States that other Presidents should follow.

For many years prior to 1903 our Government had been negotiating with foreign Powers to provide for the building of a Panama Canal. By 1902, on the conclusion of the Hay-Pauncefote Treaty, we had cleared the way sufficiently to enable Congress to pass an Act actually providing for the construction of a Canal across the Isthmus. By this act the President was authorized to secure for the United States the property of the French Panama Canal Company and the perpetual control of a strip of territory across the Isthmus of Panama from the Republic of Colombia within a reason-



ble time and at a reasonable price, and, if the endeavor failed, the adoption of the Nicaragua route was authorized.

In October and November, 1903, events occurred on the Isthmus of Panama which enabled me, and which made it my highest duty to the people of the United States, to carry out the provisions of the law of Congress. I did carry them out, and the Canal is now being built because of what I thus did. It is also perfectly true that, if I had wished to shirk my responsibility, if I had been afraid of doing my duty, I could have pursued a course which would have been technically defensible, which would have prevented criticism of the kind that has been made, and which would have left the United States no nearer building the Canal at this moment than it had been for the preceding half-century. If I had observed a judicial inactivity about what was going on at the Isthmus, had let things take their course, and had then submitted an elaborate report thereon to Congress, I would have furnished the opportunity for much masterly debate in Congress, which would now be going on—and the Canal would still be fifty years in the future.

The interests of the American people demanded that I should act just exactly as I did act; and I would have taken the action I actually did take even though I had been certain that to do so meant my prompt retirement from public life at the next election; for the only thing which makes it worth while to hold a big office is taking advantage of the opportunities the office offers to do some big thing that ought to be done and is worth doing.

Under the terms of the Act the Government finally concluded a very advantageous agreement with the French Canal Company. The French

Company had spent enormous sums on the Isthmus. We felt justified in paying the Company only a very small fraction of what it had thus spent. The treaty we made was advantageous to us in a very high degree, and we got what in value was much more than what we paid for it; but the French Company did get something, and if we had not stepped in it would have gotten absolutely nothing. Every step taken by the Government in connection with its negotiations with the French Company and the payment to its official representatives in accordance with the agreement entered into was taken with the utmost care, and every detail has been made public. Every action taken was not merely proper, but was carried out in accordance with the highest, finest, and nicest standards of public and governmental ethics. Doubtless in Paris, and perhaps to a lesser extent in New York, there were speculators who bought and sold in the stock market with a view to the varying conditions apparent from time to time in the course of the negotiations, and with a view to the probable outcome of the negotiations. This was precisely what speculators did in England in connection with the outcome of the Battle of Waterloo, and in our own country in connection with Abraham Lincoln's issuance of the Emancipation Proclamation and other acts during the Civil War. The rights of the French Company having been acquired, and the difficulties caused by our previous treaties having been removed by the Hay-Pauncefote Treaty, there remained only the negotiations with the Republic of Colombia, then in possession of the Isthmus of Panama. Under the Hay-Pauncefote Treaty it had been explicitly provided that the United States should build, control, police, and "protect" (which



incidently means to fortify) the Canal. The United States thus assumed complete responsibility for, and guaranteed the building of, the Canal. Nearly fifty years before, our Government had announced that it would not permit the country in possession of the Isthmus "to close the gates or interfere" with opening one of the "great highways of the world," or to justify such an act by the pretension that this avenue of trade and travel belonged to that country and that it chose to shut it. We had always insisted upon the doctrine thus declared, and at last the time had come when I could reduce it to action. We negotiated with the representatives of Colombia a treaty for building the Canal, a treaty which granted to Colombia even greater advantages than were subsequently granted to the Republic of Panama, a treaty so good that after it had been rejected by Colombia, and after we had recognized Panama, Colombia clamored for leave to undo the past and enter into the treaty. But the Colombian Government, for reasons which, I regret to say, were apparently very bad indeed, declined to consummate the treaty to which their representatives had agreed. The Isthmus of Panama was then a part of the Colombian Republic, and the representatives of Panama in the Colombian Legislature at once warned Colombia that the people of Panama would not submit quietly to what they regarded as an utter ignoring of their vital interests. We also, courteously and diplomatically, but emphatically, called the attention of the Colombia representatives to the very serious trouble they were certain to bring upon themselves if they persisted in their action. I felt very strongly that the position that the one-time Secretary of State Cass, had taken nearly fifty years before was the proper

position, and that the United States would be derelict to its duty if it permitted Colombia to prevent the building of the Panama Canal. I was prepared, if necessary, to submit to Congress a recommendation that we should proceed with the work in spite of Colombia's opposition, and indeed had prepared a rough draft of a Message to that effect, when events on the Isthmus took such shape as to change the problem.

The Isthmus was seething with revolutionary spirit. The Central Government of the Republic of Colombia was inefficient and corrupt. Lawlessness had long been dominant in every branch. During a period of something like seventy years there had been only one or two instances in which a President had served out his term. The Republic had repeatedly undergone internal convulsions which completely changed its aspect. Our Government first entered into a treaty with the possessors of the Isthmus of Panama in 1846. At that time the nation with which we treated was known as New Granada. After a while New Granada split up and the Republic of Colombia, another confederation, took its place; and Panama was at one time a sovereign state and at another time a mere department of the consecutive confederations known as Colombia and New Granada. In addition to scores of revolutions which affected successively New Granada and Colombia as a whole, the Isthmus of Panama during fifty-seven years saw fifty-three revolutions, rebellions, insurrections, civil wars, and other outbreaks; some of the revolutions being successful, some unsuccessful; one civil war lasting nearly three years, and another nearly a year. Twice there had been attempted secessions of Panama, and on six dif-



ferent occasions the marines and sailors from United States war-ships were forced to land on the Isthmus in order to protect property and to see that transit across the Isthmus was kept clear, a duty we were by treaty required to perform, for by treaty we already possessed and exercised on the Isthmus certain proprietary rights and sovereign powers which no other nation possessed. On four different occasions the Government of Colombia itself requested the landing of troops to protect its interests and to maintain order on the Isthmus—the order which it was itself incompetent to maintain. On several different occasions only the attitude of the United States prevented European Powers from interfering on the Isthmus. In short, Colombia had shown itself utterly incompetent to perform the ordinary governmental duties expected of a civilized state; and yet it refused to permit the building of the Canal under conditions which would have perpetuated its control of the Isthmus, and which would at the same time have put a stop to what can legitimately be called government by a succession of banditti. The United States would have shown itself criminal, as well as important, if it had longer tolerated this condition of things.

I was prepared to advocate our openly avowing that the position had become intolerable, and that, in pursuance of our duty to ourselves as well as to the world, we should begin the building of the Canal. But my knowledge—a knowledge which, as regards most of the essential points, was shared by all intelligent and informed people—of the feeling on the Isthmus was such that I was quite prepared to see the people of the Isthmus themselves act in such a way as to make our task easier. They

felt that it was of vital importance to them to have the Canal built, for they would be its greatest beneficiaries; and therefore they felt such bitter indignation at Colombia's indifference to their interests and refusal to permit the fruition of their hopes that among them there was a literally unanimous desire for independence. Not only was there not a single man on the Isthmus who wished to perpetuate Colombian control, but all Colombians sent hither, even the soldiers, after a very short residence grew to share the desire of all Panamans for the establishment of a separate republic. Hitherto the knowledge that the United States would interfere to stop all disturbances on the Isthmus that interrupted traffic across it had resulted to the benefit of Colombia; and it was this knowledge that had been the chief preventive of revolutionary outbreak. The people of Panama now found themselves in a position in which their interests were identical with the interests of the United States; for the Government of Colombia, with elaborate care, and with a shortsightedness equal to its iniquity, had followed out to its end the exact policy which rendered it morally impossible as well as morally improper for the United States to continue to exercise its power in the interest of Colombia, and against its own interest and the interest of Panama. There was no need for any outsider to excite revolution in Panama. There were dozens of leaders on the Isthmus already doing their best to excite revolution. It was not a case of lighting a fuse that would fire a mine—there were dozens of such fuses being lit all the time; it was simply a case of its ceasing to be the duty of the United States to stamp on these fuses, or longer to act in the interest of those who



had become the open and malignant foes of the United States—and of civilization and of the world at large.

Every man who read the newspapers knew that with the failure of Colombia to ratify the Hay-Herran treaty revolutionary attempts became imminent on the Isthmus. The papers published on the Isthmus themselves contained statements that these revolutions were about to occur, and these statements were published in the Washington and New York and New Orleans papers. From these published statements it appeared that, if the Canal treaty fell through, a revolution would in all probability follow, that hundreds of stacks of arms were being imported, that the Government forces in Panama and Colon were themselves friendly to the revolution, and that there were several distinct and independent centers of revolutionary activity on the Isthmus. It was also announced that the Government at Colombia was hurrying preparations to send troops to Panama to put down the revolution. Of course I did not have to rely merely upon what I saw in the newspapers. From various sources I had gathered enough to satisfy me that the situation was at least as bad as the papers depicted it. Through two army officers who had visited the Isthmus in September I gained concrete and definite information. They informed me that, owing to the dissatisfaction because of the failure of Colombia to ratify the Hay-Herran treaty, a revolution was certain to break out on the Isthmus, and that the people were in favor of it, and that it might be expected immediately on the adjournment of the Colombian Congress without ratification of the treaty. In response to my questioning, they said they were certain that a revolution—several

different revolutionary movements were being planned independently of one another—would occur immediately after the adjournment of the Colombian Congress in October; while on the Isthmus they had calculated that it would not occur until after October 20, because not until then would a sufficient quantity of arms and munitions have been landed to supply the revolutionaries. Acting in view of all these facts, I sent various naval vessels to the Isthmus. The orders to the American naval officers were to maintain free and uninterrupted transit across the Isthmus, and, with that purpose, to prevent the landing of armed forces with hostile intent at any point within fifty miles of Panama. These orders were precisely, such as had been issued again and again in preceding years—1900, 1901, and 1902, for instance. They were carried out. Their necessity was conclusively shown by the fact that a body of Colombian troops had landed at Colon and threatened a reign of terror, announcing their intention of killing all the American citizens in Colon. The prompt action of Captain Hubbard, of the gunboat "Nashville," prevented this threat from being put into effect; he rescued the imperiled Americans, and finally persuaded the Colombian troops to re-embark and peacefully return to Colombia.

With absolute unanimity the people of the Isthmus declared themselves an independent republic, and offered immediately to conclude with our Government the treaty which Colombia had rejected, and to make its terms somewhat more favorable to the United States. No bloodshed whatever had occurred, and it could not occur unless we permitted Colombian troops to land. The Republic of Panama was the *de facto* Government, and there was no



other on the Isthmus. There were therefore two courses open to us. One was to turn against the people who were our friends, to abandon them, and permit the people who were our foes to reconquer Panama with frightful bloodshed and destruction of property, and thereby to re-establish and perpetuate the anarchic despotism of the preceding fifty years—inefficient, bloody, and corrupt. The other course was to let our foes pay the penalty of their own folly and iniquity and to stand by our friends, and, as an incident, to prevent all bloodshed and disturbance on the Isthmus by simply notifying Colombia that it would not be permitted to land troops on Panama. Of course we adopted the latter alternative. To have adopted any other course would have been an act not merely of unspeakable folly but of unspeakable baseness; it would have been even more ridiculous than infamous. We recognized the Republic of Panama. Without firing a shot we prevented a civil war. We promptly negotiated a treaty under which the Canal is now being dug. In consequence Panama has for eight years enjoyed a degree of peace and prosperity which it had never before enjoyed during its four centuries of troubled existence. Be it remembered that unless I had acted exactly as I did act there would now be no Panama Canal. It is folly to assert devotion to an end, and at the same time to condemn the only means by which the end can be achieved. Every man who at any stage has opposed or condemned the action actually taken in acquiring the right to dig the Canal has really been the opponent of any and every effort that could ever have been made to dig the Canal. Such critics are not straightforward or sincere unless they announce frankly that their criticism of

methods is merely a mask, and that at bottom what they are really criticising is having the Canal dug at all.

The United States has done very much more than its duty to Colombia. Although Colombia had not the slightest claim to consideration of any kind, yet, in the interests of Panama, and so as to close all possible grounds of dispute between Panama and Colombia, the United States some time ago agreed to a tri-party treaty between herself, Colombia, and Panama, by which, as a simple matter of grace and not of right, adequate and generous compensation would have been given Colombia for whatever damage she had suffered; but Colombia refused to agree to the treaty. On this occasion, in my judgment, the United States went to the very verge of right and propriety in the effort to safeguard Panama's interests by making Colombia feel satisfied. There was not the slightest moral obligation on the United States to go as far as she went; and at the time it seemed to me a grave question whether it was not putting a premium upon international blackmail to go so far. Certainly nothing more should be done. There is no more reason for giving Colombia money to soothe her feelings for the loss of what she forfeited by her misconduct in Panama in 1903 than for giving Great Britain money for what she lost in 1776. Moreover, there is always danger that in such cases an act of mere grace and generosity may be misinterpreted by the very people on whose behalf it is performed, and treated as a confession of wrongdoing. We are now so far away from 1776 that this objection does not apply in that case, and there would be no particular reason why any sentimental persons who feel so inclined should not



agitate to have Great Britain paid for the nervous strain and loss of property consequent upon our action in that year and the immediately subsequent years. But we are still too near the Panama incident to be entirely certain that base people would not misunderstand our taking such action in her case; and as there was literally and precisely as much moral justification for what we did in Panama in 1903 as for what we did in our own country in 1776—and indeed even more justification—it is as foolish now to claim that Colombia is entitled, or ever has been entitled, to one dollar because of that transaction as to claim that Great Britain is entitled to be compensated because of the Declaration of Independence.

Not only was the course followed as regards Panama right in every detail and at every point, but there could have been no variation from this course except for the worse. We not only did what was technically justifiable, but we did what was demanded by every ethical consideration, national and international. We did our duty by the world, we did our duty by the people of Panama, we did our duty by ourselves. We did harm to no one save as harm is done to a bandit by a policeman who deprives him of his chance for blackmail. The United States has many honorable chapters in its history, but no more honorable chapter than that which tells of the way in which our right to dig the Panama Canal was secured and of the manner in which the work itself has been carried out.

## **OPEN LETTER TO EX-PRESIDENT THEODORE ROOSEVELT.**

TO THEODORE ROOSEVELT,

Contributing Editor to *The Outlook*, New York  
City.

SIR—Former Presidents of the United States have stepped down from the highest position attainable by mortal man to again become private citizens of this great republic, and have carried with them into their retirement the dignity of their office and the respect of their fellow countrymen. You have elected a different course, and by capitalizing your Presidential prestige as the paid employee of a weekly journal have forfeited the consideration due to the high office you once held. You can now pretend only to such respect as you as a man deserve. I say this to make it quite clear that I am addressing you as an individual, and do not wish to reflect either upon the government or the people of the United States, for whom I have the deepest respect and regard.

In a signed article purporting to show how the United States acquired the right to build the Panama Canal, you use language which any decent newspaper would have hesitated to print. You say that "Colombia had shown herself utterly incompetent to perform the ordinary governmental duties expected of a civilized state." You refer to the government of Colombia as "government by a succession of banditti" and as "archaic despotism—inefficient, bloody and corrupt," and in summing up your actions as President you declare, "We did



harm to no one save as harm is done to a bandit by a policeman who deprives him of his chance of blackmail."

In default of argument, such is the unseemly language you use to justify the rape of the Isthmus and refute the oft-repeated charges that you dealt unfairly with Colombia; that you violated a public treaty in which the United States had pledged its honor as a nation to guarantee the sovereignty of Colombia over the Isthmus; that you recognized the fake Republic of Panama in defiance of the accepted principles of international law so as to permit your friends who were interested in the Panama Canal Company to put through their \$40,000,000 deal with the United States; that you prostituted the navy of the United States to the same ends; that you—but why continue the long list of unanswered charges? Instead of answering them you hurl insults and slanders at the unfortunate country you robbed of her most valuable possession.

When you speak of blackmailers and bandits, Mr. Roosevelt, have you forgotten the ultimatum you sent to Colombia threatening her with dire results if her Senate did not ratify without amendment the "treaty" written by the attorney for the Panama Canal Company? Have you forgotten the American marines landed by Admiral Glass and sent into the Atrato region to Yavisa and Real de Santa Maria? Who was the blackmailer and the bandit then? Who has told the truth about this matter all along?

Was it you when you told Congress that the people of Panama rose literally as one man? Was it you when you boasted that you took Panama and let Congress debate? Or was it you when you wrote that your actions in this matter were as free from

scandal as the public acts of George Washington and Abraham Lincoln, and that every action taken was not only proper but was carried out in accordance with the highest, finest and nicest standards of public and governmental ethics?

I think Colombia can safely leave these questions to be answered by the conscience of the American people.

FRANCISCO ESCOBAR,  
Consul-General of Colombia.





**EDITORIAL COMMENT  
OF  
AMERICAN NEWSPAPERS.**



## **" RIGHTEOUSNESS."**

I, for one, would rather cut off my hand than see the United States adopt the attitude either of cringing before great and powerful nations who wish to wrong us or by bullying small and weak nations that have done us no wrong—Theodore Roosevelt in *The Outlook*.

*I took Panama, and then left Congress to debate.*—Theodore Roosevelt at the University of California, March 23, 1911.—*New York World*.

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## **FROM THE EVENING POST.**

The obstinacy of Colombia in refusing to recognize an accomplished fact is almost beyond belief. Here is the canal approaching completion, as the most belligerent Colombian may see for himself, and Panama as pretty a republic as was ever made overnight, and yet what does the stupid President tell his stupid Congress? He repeats the old story of "difficulties" with the United States growing out of the secession of Panama, and says something about "arbitration." We are conscious of no difficulties. We know of nothing that needs arbitration. As we fully explained at the time, or as soon after the time as we could get our breath, Colombia was asking an exorbitant price for what we wanted of her, and, besides, had given Panama grounds for complaint long before. So we just stole the land we wanted. It is time that the South American Government was learning that when a great Power condescends to buy something from a little one, it is not for the little one to haggle over



the price. We are entirely too busy with our permanent arbitration treaties to be bothered with Colombia's complaints. If she is wise, she will stop crying over spilt milk and sign a treaty to refer all future differences with us to arbitration.—*New York Evening Post*.

### **RIGHTEOUSNESS AND PEACE.**

Mr. Roosevelt's counterblast to arbitration in *The Outlook* is, from the author's point of view, an admirably well reasoned and consistent polemic. No man who "took the Canal Zone" and let Congress talk about it afterward could with prudence and safety take any other view of the Arbitration Treaty with Great Britain, or of Mr. Taft's general arbitration policy, than that which ex-President Roosevelt expresses in this *Outlook* article.

Mr. Roosevelt discourses much about peace and righteousness. He insists that we must not put peace above righteousness, but righteousness above peace. Here he has quite caught the Bryan trick of phrasemaking. It recalls Mr. Bryan's admonition against putting the dollar above the man. Mr. Roosevelt talks, also, of our obligation "to behave with scrupulous justice to other nations," of the usefulness of combining power with high purpose, and he declares that, for one, he would rather cut off his hand "than see the United States adopt the attitude either of cringing before great and powerful nations who wish to wrong us, or by bullying small and weak nations who have done us no wrong." On the whole, we approve these expressions. They will make *The Outlook* article more acceptable and convincing to the great bulk of its readers. Men have short memories. To all those

who have quite forgotten the seizure of Panama these phrases will give Mr. Roosevelt's article the color of high sincerity and capacity for indignation at a public wrong. Those who vividly remember how Panama was "taken" will be nauseated by all this talk about righteousness and abstention from bullying weak powers who have done us no wrong, but they are few.

Should we make with many nations, with the United States of Colombia, for instance, arbitration treaties similar to that we have negotiated with Great Britain, it is conceivable that the wrong done to Colombia when we interfered to prevent her putting down the trumpery revolt in Panama might, possibly, be referred to an arbitral tribunal. We can imagine nothing more disagreeable to ex-President Roosevelt than such a reference. His opposition to the arbitration treaty was inevitable. But we think he is needlessly apprehensive. In our judgment the Panama matter will never be referred to arbitration. Why arbitrate a dispute as to which any just tribunal would certainly find against us? Moreover, our reparation to the United States of Colombia should not be made in pursuance of a judgment, but voluntarily, as the result of diplomatic negotiation guided by those principles of righteousness and justice which Mr. Roosevelt so cordially approves. This is, indeed, a matter that involves our National honor. The only stain, the only blot, upon our honor and our reputation as a Nation just and fair dealing in its international relations is the "taking" of the Panama Zone. Some time that stain will be removed, because it must be removed. There are a great many people of the United States who would like to be able to look South America in the face without blushing. No



arbitration is necessary. It is our duty to come to some agreement with Colombia by which she may give us a just title to what we have secured in the Canal Zone.

We are not impressed with Mr. Roosevelt's criticisms of the Arbitration Treaty. He dwells upon the word "justiciable," saying there is "hopeless confusion as to what 'justiciable' means." We have been aware of no confusion in regard to that word. It is defined in the treaty. Matters in dispute are justiciable "by reason of being susceptible of decision by the application of the principles of law or equity." Nor does it seem to us that there is the remotest chance that we should ever refer a dispute to a commission "composed exclusively of foreigners." The treaty provides that each of the high contracting parties "shall designate three of its Nationals to act as members of the Commission of Inquiry," the provision that the commission "may be otherwise constituted in any particular case" is merely permissive. The tone of Mr. Roosevelt's article is unquestionably severe. He finds it difficult to characterize one provision of the treaty truthfully "without seeming to be offensive," he insists that "no moral movement is ever permanently helped by hypocrisy," and he warns us to be on our guard against "false pretense." Inasmuch as President Taft has been the most conspicuous public advocate of the arbitration policy, these words might seem to be intended for him. An impartial public will judge whether they are justified.

We particularly like one maxim which Mr. Roosevelt has embodied in his "Outlook" article. It is this: "Confused thinking and a willingness to substitute words for thought, even though inspired by an entirely amiable sentimentality, do not tend

toward sound action." As a valuable example of that form of thinking and substitution, we feel that this passage from the "Outlook" article should be here quoted: "Uncle Sam does not intend to wrong any one, but neither does he intend to bind himself if his pocket is picked, his house burglarized, or his face slapped, to 'arbitrate' with the wrongdoer; and, as long as he does not intend so to bind himself, it would be offensive hypocrisy to say that he will so bind himself."—*New York Times*.

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### THE COLONEL AND THE CANAL.

Referring to the predaceous practices of literary gentlemen and picking out the late Mr. Homer as a particularly shining example, Kipling sings:

"And what he did require

"He went and took—the same as me."

Colonel Roosevelt's defense of his Panama Canal policy in the current issue of *The Outlook* is equally frank in regard to the part he played in the Panama rebellion of 1903. "We recognized the Republic of Panama," explains the Colonel, and adds that without firing a shot "we" prevented a civil war. All of which is absolutely true, though the Colonel is doubtless aware that the employment of the pronoun "we" may tend to confuse those ignorant of the facts and to detract from himself some of the recognition which is his, and his alone.

It might be well to recall exactly what did occur eight years ago next month, during Colonel Roosevelt's first term as President. On November 4, 1903, the State of Panama seceded from the Republic of Colombia, which, for a long time had obstinately refused to make an agreement with this country permitting the construction of the Panama



Canal. It has been charged that agents of the Washington Government fomented the Panama insurrection, but that charge rests upon no substantial foundation. It is, however, a matter of record that the new republic set up in Panama was recognized by the United States Government precisely nine days after secession was declared, that United States warships and United States marines protected Panama against coercion on the part of Colombia, and that subsequently Panama gave to the United States all the privileges sought for in vain from the Republic of Colombia.

"I took Panama and let Congress debate," the Colonel was reported to have said in a speech delivered some weeks ago. The situation was on all fours with our own at the beginning of the Civil War, except that then no work in the interest of commerce and civilization, like an interoceanic canal, tempted outsiders to aid in the disruption of the Union. Colombia had the same moral right to fight to preserve the integrity of her organization, menaced by the revolt of a single puny department, that the North had to fight for the permanency of the institution shaken by the withdrawal of the eleven Southern States. Great Britain or France, both of whom coquetted with the policy of intervention, would have had neither more nor less moral justification for the exercise of that policy than Mr. Roosevelt had for his exercise of it in the guise of "recognition" at the expense of a country physically unable to defend its rights.

In strict justice to the Colonel it should be pointed out that without his intervention the efforts of Colombia to blackmail this country might have dragged on for years, either preventing the construction of a canal altogether or indefinitely

postponing it until in sheer disgust Congress authorized some other route. If it be held that the end justifies the means, however morally indefensible the means may be, the Roosevelt policy in regard to Panama may withstand criticism. What is done is done. With the canal more than half way to completion the United States could not now permit a war for the return of Panama to the Colombian union, even were Colombia ready to inaugurate such a war. That fact does not however preclude the frank acknowledgment that intervention was a wrong for which some reparation might well be offered even at this late day.

To insist that the acquisition of canal privileges was as free from scandal as the public acts of Washington and Lincoln is a comparison that only the Colonel would have the hardihood to advance. It requires a severe strain upon credulity, to believe that either the Father of His Country or its Preserver would have attempted interference in the domestic affairs of another nation and made that interference effective without the sanction of Congress. Admitting that the strategic and commercial advantages of the Roosevelt policy are to become of incalculable value to this country, it is well to remember that the execution of that policy roused a feeling of deep suspicion in every Latin-American state, a suspicion that the United States would not hesitate to move against the integrity of any weaker nation once it could be shown that such a move would further our own selfish purposes. However unjust that suspicion may be, it cannot be denied that Colonel Roosevelt's course in regard to the Panama insurrection affords a reasonable justification for those who still entertain it—  
*Brooklyn Eagle.*



**EDITOR ROOSEVELT'S TRIBUTE.**

The Panama record of Theodore Roosevelt, President of the United States, receives a grudging measure of approval from Theodore Roosevelt, contributing editor of *The Outlook*. Editor Roosevelt tells about it in the current issue of Dr. Lyman Abbott's great family and religious weekly, but the best he can say about it is that the whole transaction was "as free from scandal as the public acts of George Washington and Abraham Lincoln."

President Roosevelt would regard it as cautious and stinted praise to compare him with persons like Washington and Lincoln, but Editor Roosevelt is writing as a historian who cannot permit his judgment to be warped by personal affection. The Panama affair was no freer from scandal than the Farewell Address or the Emancipation Proclamation, and President Roosevelt must rest content with that modest vindication.

Possibly Editor Roosevelt might have spoken in more enthusiastic terms of the transaction if he had gone to a different source for his information, but it appears that he obtained his facts from the messages of President Roosevelt. Everybody is familiar with President Roosevelt's ruthless habit of understatement about all things in which he played a part or which concerned him. His passion for the cold, impartial truth often assumed the aspects of a vice and made it impossible for him to do full justice to himself.

Naturally, if Editor Roosevelt relied on President Roosevelt for information he was dealing with an unsympathetic critic of the Roosevelt Administration. Nothing could illustrate this better than the dogged determination with which President Roose-



velt always refused to regard himself as essentially greater or better than Washington and Lincoln. But he never demanded such calculated moderation from other persons writing about his achievements.

Editor Roosevelt would undoubtedly welcome additional information about the Panama affair which would enable him to compile a far more complete history of the transaction than can be obtained from the reserved and cautious Roosevelt messages to Congress. That is why we assume that he is heartily in favor of a Congressional investigation. —*New York World*.

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### THE TITLE TO PANAMA.

Gratifying progress is being made at Panama in all respects but one. The canal is being pushed to completion at a rate which long ago exhausted the vocabulary of admiration and surprise. Particularly gratifying is the expedition with which the constructive work is proceeding, since it was feared that the building of the titanic dams and locks would lag along after the excavation, yet now we learn that with more than 75 per cent. of the latter done more than 60 per cent. of the former is also done. As for the achievements in sanitation, they have made the Canal Zone a model for New York to imitate. And in the Republic of Panama, apart from the Canal Zone, good progress has been recorded in public works, in development of resources and—perhaps most gratifying—in the confirmation of ordered constitutional government.

In one direction alone does the Isthmus seem to "get no forrarder," and that is in the establishment of normal relations with Colombia and in the securing of Colombia's recognition of the accomplished

fact of 1903. Efforts to that end have repeatedly been made, but they have been vain. Panama stands, of course, upon the indisputable validity of independence achieved through successful revolution, while Colombia persists in regarding herself as aggrieved and as entitled, if not to the undoing of the revolution of 1903—which doubtless is not to be considered—at least to substantial compensation. It is true that some time ago compensation which seemed not only adequate but generous was offered to her, in a tripartite treaty to which the United States was a party, and Colombia refused to accept it. That episode might be held to have closed the whole case and to debar Colombia from any further claims in equity. Yet higher principles of international comity and a desire for the welfare of our Southern neighbors might also suggest the propriety of further endeavors toward a moral as well as a strictly legal settlement.

Legally, Panama's title to independence is not to be assailed, and similarly impregnable is the American title to the Canal Zone and to all the privileges which this country there enjoys. Nor are we disposed to concede the existence of any flaw in those titles from an equitable or a moral point of view. Yet it would unquestionably be gratifying and would also be practically advantageous to all parties concerned to have Colombia take that same view of the case and to give ungrudgingly a quit-claim deed to Panama; and out of the enormous profits which have accrued from the achievement of independence it might be the part of worldly wisdom to give her a satisfactory inducement to that end. The question, so far as the United States is concerned in it, is obviously not factional nor partisan in character, but broadly national, as, indeed,



it has always hitherto been regarded, and upon such grounds it may be hoped that it will before long be finally settled.—*New York Tribune.*

### **MR. ROOSEVELT AND THE "BANDITS."**

It requires a good deal of hardihood on the part of Mr. Theodore Roosevelt to compare his procedures in "taking" the Canal Zone with the measures adopted by President Lincoln to save the Union. Mr. Roosevelt in his Outlook article defending the seizure of the zone says that, whenever the interests of the American people demanded the doing of a certain act, he did it "unless it was specifically prohibited by law." There was no lack of specific prohibitions forbidding Mr. Roosevelt to intervene with force and arms to prevent the putting down of the trumpety Panama rebellion by the Colombian Government. Not only did he violate international law and usage, but he took a course in plain violation of our treaty guarantee of the rights of sovereignty and property which Colombia had over Panama. A guarantee that would have demanded our interference for the protection of Panama against a foreign enemy certainly could not be held void and of no effect as against us. It is a singular theory of law that permits the guarantor to seize the property guaranteed in the hands of its possessor.

It is quite useless for Mr. Roosevelt to attempt to tell the American people that the "revolution" on the Isthmus was a spontaneous and genuine uprising of the people. The "fuses" of rebellion were being "lit," of course, but Colombia would have had very little trouble in stamping out the blaze if the armed forces of the United States had not stayed



her hand. Mr. Roosevelt admits that he gave orders to prevent the landing of the Government troops of Colombia within fifty miles of Panama. That, and that alone, insured the success of the "revolution." It was an intervention on our part not only without warrant of law, but against law. Indeed, the ex-President seems to lay most stress upon the argument that the means were justified by the end. He wanted to build the canal, therefore he "took the Canal Zone." He affirms that in so doing he served the interests of the United States and of the whole world. He was not going to let "any group of bandits, foreign or domestic," stop the construction of the canal. If Mr. Roosevelt really wants to know what the world thinks of his proceeding, let him read the responsible press of his own country and consult the opinion of the publicists of highest standing in other countries. His "taking" of the Canal Zone was on a par with the taking of Tripoli by Italy. It put a stain upon our National reputation which we can remove only by making proper reparation to the United States of Colombia. We are gratified to observe that public opinion in this country is taking form in favor of such reparation, and we have no doubt that, in time, it will be made.—*New York Times*.

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### COLOMBIA AND HER NEIGHBORS.

Rumors from the west coast of South America are not altogether reassuring or agreeable, though they are not yet alarming. It is said that because of the dispute with Peru over the boundaries of Ecuador, Colombia has increased the size of its standing army to a total of 30,000 men, and has made a secret offensive and defensive alliance with

Chili; all of which is plausible and not at all uncharacteristic of ways and means in that part of the world, though it is, if true, particularly to be regretted.

Since the loss of its rich isthmian provinces Colombia has naturally been more than ordinarily sensitive and jealous over all other possessions and boundary lines, and is inclined to stand resolutely for whatever it considers its rights on the boundaries of Ecuador and Peru. Neither can we suppose a State which hitherto has done much fighting to have become now irresistibly disinclined to militarism. Obviously, in case of a clash with the stronger power of Peru it would welcome the aid of an ally, and it might not be difficult to find an ally in that aggressive and militant southern republic which less than a generation ago waged a war of conquest against Peru and has ever since been on half-threatening terms with that country.

The occurrence of any such hostilities would be particularly unwelcome to all other American States, perhaps most of all to the United States, at this time, when the completion of the Panama Canal and the consequent opening of immeasurably improved facilities for intercourse with that western coast of the continent are near at hand. It would be lamentable to be compelled to open that waterway upon a scene of strife or to begin our new and better commercial relations with countries which are either at war or are exhausted and impoverished as a result of war. The interests of all parties concerned demand the maintenance of peace; nor does there appear to be any cause for war which can be regarded as even approximately adequate.

The true policy for Colombia would surely be in the continuance of that peaceful development of re-



sources and confirmation of republican institutions to which it has devoted itself with much success for the last dozen years. Instead of fomenting a new dispute, it might profitably dispose of the last remains of old ones—to wit, those with Panama and the United States. There could be no more agreeable achievement for all concerned than a settlement which would cause Colombia to recognize the established facts on the isthmus and at the same time to feel that equitable compensation had been made to her for her actual losses.—*New York Tribune*.

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### **ESCOBAR AND ROOSEVELT.**

The things that Senor Francisco Escobar, Consul General of the Republic of Colombia at New York, has been saying about Mr. Roosevelt in connection with the story of the Panama acquisition are not easily contradicted, but some papers seem disposed to consider that the Consul General's remarks are not diplomatic, and that it is not proper for the representative of a foreign government to say that an ex-President of the United States lied. Such conduct, it is argued, should render him persona non grata in the United States.

A Consul is more a commercial agent than a diplomat, and can do and say things that would not be proper in the Colombian Ministry at Washington. But admitting that this point is well taken, it is merely a demurrer to the indictment and does not alter the merits of the case.—*Nashville Banner*.

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### **INTERNATIONAL MORALITY.**

The controversy now raging between the ex-President and Consul General Escobar, of Colom-



bia, regarding the creation of the so-called Republic of Panama, serves one small public purpose. It recalls to the public mind the fact that, with all our ethical progress and our machinery for arbitration and our pretense that international law rests upon equity, there is no international morality.

Less conspicuously this fact appears also in the general caution exercised in discussing Italy's attack on Turkey. Nobody would waste time considering the alleged grounds, though of course there is some merit in them, because the real reason for the seizure of Tripoli is that France seized Tunis, which Italy expected to grab, and Italy, not feeling quite like fighting France over that appendage of the Ottoman Empire, has been waiting ever since for a convenient occasion for indemnifying herself for what she was not quite quick enough or strong enough to take before. Russia does not pretend to have any morality about her foreign policy; and Germany, France and England can't very well object to the action of Italy when their own pockets are bulging with stolen goods.

Of course, there was never a more high-handed act of international rapine than our dismemberment of Colombia, our cynical disregard of our treaty obligations and our open encouragement of a pretended revolution for the sake of creating a make-believe Republic. Under some statesmen, of course, this action would not be worth discussion in the light of ethics at all. But it happens that the President at the time was Theodore Roosevelt, preacher of righteousness, and the Secretary of State was John Hay, who said the Golden Rule and the Ten Commandments were the essential elements of our foreign policy. We can't say much about

the rule of the mailed fist anywhere else when it is only eight years since our own two pre-eminent Christian statesmen held Colombia helpless while a handful of foreign adventurers were encouraged to go through the motions of setting up a Republic to secure the \$10,000,000 we were offering for the canal concession.—*Philadelphia Record*.

### ROOSEVELT AND COLOMBIA.

"I think Colombia can safely leave these questions to be answered by the conscience of the American people," said Francisco Escobar, Consul General for Colombia, in New York, in reply to ex-President Roosevelt's explanation of how he acquired the Panama strip for the canal. Probably no public man, certainly no ex-President of the United States, was ever put in so ugly a light by a foreign representative as is Mr. Roosevelt in this particular matter.

It is exceedingly unfortunate that Mr. Roosevelt should have chosen to stir the Panama scandal just as it was fading into forgetfulness. Mr. Escobar brings into very glowing prominence some of the more humiliating features of the method by which Mr. Roosevelt, acting for the United States, came forcibly in possession of the Panama "strip," and which will constitute a continuing shame upon his administration.

It will not do for Mr. Roosevelt to excuse himself by saying "we did harm to no one save as harm is done to a bandit by a policeman, who deprives him of his chance of black-mail." In a constitutional and law-abiding republic even a bandit has a right in court, and the policeman must show ample cause for doing him "harm." We have no record



of a law, that we know of, which even by implication, gives a policeman the right to deprive even a bandit of his property without process of law; certainly he has no such right merely because he carries a "big stick" and has the power to do it. Colombia may have "shown herself as utterly incompetent to perform the ordinary governmental duties expected of a civilized state," which we believe has not been proven so far in any court, but even at that the United States is not justified through its executive machinery in robbing her of one of her most valuable possessions.

The Colombian Consul General relates some of the details of the scandalous Panama procedure Mr. Roosevelt can never explain to the satisfaction of the American conscience, and we will be surprised if his enemies do not make the facts thus given into a supplementary brief attacking his administration.

Mr. Roosevelt may rely upon certain people who believe in "short cuts" to uphold his conduct in this affair, *but the great body of the American people will feel the shame of it until some future Congress shall make amends for the action of the "police bully," who with no other right than that of his club deprived a sister of her possessions.* It is true that this country should have had the Panama strip, but it should have acquired it in a lawful, orderly way and not by the methods of the highwayman.—*Chattanooga Times.*

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### **WHY COLOMBIA REJECTED THE PANAMA TREATY.**

Senor Francisco Escobar, the Consul General of Colombia in New York, who has just achieved a fleeting notoriety by abusing Colonel Roosevelt in



an open letter of the most scurrilous and defamatory kind, must think that the American people have such short memories as to have forgotten the circumstances attending the rejection by the Colombian Congress of the Panama Canal treaty which had been negotiated at Washington by the Colombian Minister of the United States. Perhaps they have and perhaps it may be worth while recalling them. They were exhibited in a statement made at the time by Martinez Silva, who had previously been displaced as Colombian Minister to this country by Senor Concha. Silva had endeavored to prevent the purchase by this country of the French Panama Canal Company's property and in the statement made by him he frankly exposed the motives by which he had been inspired.

By an action of the Colombian Congress dated August 4, 1893, the original concession granted to the French company, which had been for twenty years from May 28, 1878, was extended to October, 1904. As it became apparent, however, that the canal could by no possibility be completed within that time the canal company, in December, 1898, obtained an extension of the limit for another six years, or until 1910. This grant was made by President Sanclemente, who is said to have received one million dollars for his complaisance, and while it was conditioned on a ratification by the Colombian Congress this ratification was represented as a mere formality and as a foregone conclusion. As a matter of fact, it was subsequently refused, so that when the transfer of the French company's interest to the United States was under negotiation that company's franchise, according to the Colombian contention, had only about three years to run. It was to expire in 1904.

This was the crux of the situation. Let Mr. Martinez Silva define it in his own words. Said he: "Under article 22 the concessionaires not only lose their right if at the expiration of the time allotted them for the construction of the canal the canal is not navigable, but also forfeit the bond of \$150,000 with interest. Article 23 specifies further that in case of forfeiture of rights the land granted them shall revert to the State, without indemnity, as well as all buildings, materials, works and improvements." Whereupon Mr. Silva naively remarked that "the government, by allowing the privilege to expire in 1904, would become the possessor of property valued at \$40,000,000," and he added, "I do not see why it should extend this privilege six years when it need not."

That is why the confirmation of the treaty was refused. Colombia wanted to stave off a settlement until after 1904 so that it would have a chance to enforce the forfeit and grab the French company's property. It was a barefaced hold-up game and Colonel Roosevelt's denunciations of it were fully justified.—*Philadelphia Inquirer*.

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### **RESENTING AN INSULT TO A FRIENDLY NATION.**

Attention is directed to the open letter printed in another column addressed by Senor Escobar, Consul General of Colombia, to the citizen who boasts that he "took Panama."

It comes about as near typifying the physical acts of boxing the ears, tweaking the nose and administering a kick as a piece of writing could possibly do.

It is too bad that such language should be addressed to one who once held the office of President of the United States. Is this to be borne quietly?

Gadzooks, no! Blood and thunder! Also blood and Mars! Let us order out the Oyster fleet to reinforce Rear Admiral Osterhaus' command and at once steam for Cartagena.—*New York Herald*.

### **TROUBLE FOR COL. ROOSEVELT.**

It looks a little as if Colonel Roosevelt would have shown more wisdom by letting alone the question of "how the United States acquired the right to build the Panama Canal." The Canal is being built and nobody was bothering about the way the United States acquired the right to build it, and nobody probably would have bothered about it if Col. Roosevelt hadn't dug it up and made it the subject of an article in the magazine of which he is the contributing editor. The letter which Francisco Escobar, Consul General of Colombia, has written to him in response to it promises to disturb the friendly relations between this country and Colombia. It isn't a letter calculated to gratify Col. Roosevelt's pride or tickle his vanity. On the contrary, it is full of vitriol. It contains some things that Col. Roosevelt would rather have had left unsaid.

But Col. Roosevelt's feelings are not of so much importance, particularly as he invited the attack, as it is that the friendly relations between this country and Colombia shall not be disturbed at this time, or, in fact, at any other time, without good cause. And Consul General Escobar complains that Col. Roosevelt has hurled insults at and applied epithets to his countrymen without any excuse for doing so. Naturally he thinks that his country has cause to feel aggrieved, and hence he speaks his mind pretty freely.



No doubt his letter to Col. Roosevelt will be reproduced in the newspapers of Colombia together with Col. Roosevelt's article and there will crop out there expressions of ill-will and hostility to this country that will lessen the chances of success of our merchants and manufacturers who are trying to establish trade relations with Colombia. If there were any reason for Col. Roosevelt's article at this time the situation would be different, but as far as it is possible to see there was none. It looks a little as if Col. Roosevelt wasn't quite satisfied that he gave Colombia a square deal in the Panama matter or that he was afraid that the part he played in securing the right to build the Panama Canal would be forgotten. The history of that transaction is written in the legislation of Congress and there was no occasion for dragging it to the front just when we are assured that the canal is a success, and that within the next two or three years will be ready to be opened to the commerce of the world. As far as we know nobody is trying to belittle the part Col. Roosevelt played in getting the right to build the Canal. The world knows the story, and it is probable that the historian will do him full justice.—(*Savannah News.*)

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### A WISE SILENCE.

The spectacle of the one time doughty roughrider voiceless before the attack of the minister of a South American republic is one which is presented to the American public. President Roosevelt definitely and bitterly attacked by Francisco Escobar, the Consul General of Colombia, when shown the letter from the South American, answers, "Gracious me,

I would not think of answering it any more than I would think of flying." There are a great many people who will think that the colonel has made a good decision in making up his mind not to answer the consul. The letter from Escobar scorches in its intensity. In it he accuses the colonel of using his prestige as an ex-President to bolster up the policies of a weekly magazine. He accuses him of deliberately misrepresenting the facts connected with the taking of Panama from Colombia, and he deliberately accuses President Roosevelt with having violated a treaty whereby the United States agreed to preserve the republic of Colombia, thus besmirching the honor of the republic of which he was executive head. He further accuses Roosevelt of having prostituted the United States Navy to compel Colombia to agree to a treaty which was drawn by the attorney for the Panama Canal Company.

The letter is a fearful arraignment of Roosevelt, and the office of the man making it certainly entitles him to some consideration. But the one who was wont to rush into print to defend himself and attack his enemies with fiery pen, says when he is asked for a statement concerning the letter, "No, I don't intend to pay any more attention to it than I would to the ravings of Debs or any other crazy socialists on the McNamara trial. I'll have nothing to say about it."

There are many people indeed who will think that the ex-President is wise in his silence. The letter from Escobar brands him in a way that would be only intensified by a futile denial or rampant answer.—*Charleston (W. Va.) Gazette*.



**YOUR BANDIT UNCLE SAM.**

The Consul General of Colombia is only catching up with the revised version of the American idea. Whoever takes what is worthless and makes it serve the interests of society is a bandit! The United States took a caved-in ditch and a pile of worthless junk and began building the Panama Canal; ergo, the United States, now that it is giving the world a thing it had long needed—a connection across the isthmus between the Atlantic and the Pacific—is a robber, a thief, a heartless baron and overlord.

The little do-nothing states in the canal zone, idlers ever and ne'er-do-wells in the school of nations, now that the United States has seized the right to act and has acted, have every right to take their key from the great American public, get out their hammers and have a merry time of knocking "The Man Who Will." They have been set the fashion; there is nothing so popular in this land of the free as this very thing. Tear down the man who would go forward! Trip him and stop him; he is getting too rich, going too far in advance of the crowd and refusing to divide!

One of the principles engrafted into the laws made for the distribution of our own national domain in the days when it was thought right and proper to encourage energy and reward the man who could make use of idle resources, was the provision that once it was discovered that the man who had filed a claim was not putting it to the use intended it should be put by the law, another should have the right to contest the claim, take the land away from him and supplant the original locator. The provision made the land laws con-



sistent, and justified them in the rules of the game under which man has from the beginning of civilization fought for his own advancement and that of society as a whole.

The United States may have jumped a claim or two in Panama; (there is a suspicion that the original locators were paid and paid well for their relinquishment), but aside from that the great fact is that the work has gone on, that the canal will be built and that all the world will find the dream of a century realized to its profit and advantage. Claim jumping is always in the interests of society; it is putting some resource to the use man has found for it, and even calling the man who succeeds a bandit and wanting him whittled down is not always going to delay the big game man plays in his world nor prevent the wheels of progress for grinding out whatever he needs in attack against lethargy and indolence. Bandit is being made a title of distinction in these later days. It is through those it is calling bandits that society is going forward in spite of itself.—*Denver Republican*.

### THE PANAMA CANAL.

In reply to Col. Roosevelt's recent article explaining how and why the United States secured possession of the canal zone for the purpose of constructing the Panama Canal, the Consul General of Colombia at New York indulges in personal attacks on the former President, which, at this late day, seems rather childish and out of place.

The method pursued by President Roosevelt to secure control of the Panama zone was

characteristic of the Chief Executive—quick, direct and entirely constitutional. He would not and did not brook any technical delay from the obstructionists in the Senate or in Colombia. Neither did he propose to have the United States held up by the politicians of a fourth rate Central American Republic. President Roosevelt simply did things.

As a result the Panama Canal is now half completed, all to the credit of the United States and President Roosevelt. If the latter had waited for the technicalities and the red tape of the obstructionists in Washington and in Colombia, the canal would not have been started even now.

American engineers and American brains have done what the French could not do—banished pestilence and disease on the Panama Isthmus, so that the completion of the canal is possible.

American skill is rapidly accomplishing one of the greatest, if not the greatest, engineering work in the world's history—changing the coast line of two continents and shortening the route to the Pacific and the Orient by over three thousand miles.

To the seven wonders of the world must soon be added the Panama Canal.

In the face of this tremendous achievement, why should anybody pick flaws with the methods employed by President Roosevelt in making possible this great achievement?—*Kalamazoo Telegraph Press*.

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### THE COLOMBIAN INCIDENT.

That the United States, through its Chief Executive, failed in a fundamental national principle when it forced the establishment of the Republic of Panama, seems to be well established. Mr. Roose-



velt himself has stated that had he permitted Congress to debate the matter the result would have been extremely doubtful, so he went ahead and irretrievably implicated the nation, before letting Congress know what was going on. It is a function of Congress to declare war, which means that it is a function of Congress to act in matters that partake of the nature of a declaration of war. The Constitution, however, never stood in the way of Mr. Roosevelt.

But Mr. Roosevelt did involve the nation. He made its cause his cause. It has become, willy-nilly, responsible for what he did. That does not mean that this country cannot honorably recompense Colombia for her loss, and with dignity do all in her power to right the previous wrong. But when Francisco Escobar, Consul General of Colombia in this country, undertakes to say that a former President of the United States has lied and accuses him of having been officially a blackmailer, he exceeds propriety and puts himself in a position where this government should demand his instant recall. It is within the province of the Colombian Government to issue a statement such as that issued by Consul General Escobar, if it so desires, but for an accredited diplomatic agent to this country to issue it is without precedent and distinctly lacking in tact. It should make him for all time *persona non grata* to this country.—*Charleston (S. C.) News and Courier*.

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### WHO IS COLOMBIA'S ENEMY?

From Panama comes word that the Republic of Colombia is preparing for war, the Congress having voted a big appropriation for fortifying the



port of Buena Ventura on the Pacific coast and for the purchase of arms and ammunition. The Government is also said to be raising money by popular subscription to aid in the war preparations.

Against what country and for what causes Colombia intends to go to war, or from what source she expects attack, is not revealed in the dispatches. So far as the world knows, she has no quarrel with any of her next-door neighbors—Venezuela, Brazil, Peru and Ecuador. With her estimated population of about 5,000,000 and a possible fighting force of half a million, Colombia could, however, put up a stiff argument on her own ground. She has no navy and so it would hardly be feasible to carry on war at any great distance from home.

These circumstances make her martial preparations all the more mysterious. Among the nations of the earth Colombia has no known enemy. All the world wishes her well. Can it be that she is fortifying her coast towns and raising a war fund in anticipation of further attacks by Colonel Theodore Roosevelt and *The Outlook*? That is the only source from which she has recently been threatened, so far as the news has informed us.—*Boston Globe*.

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### THE CONTRIBUTING EDITOR.

The denunciatory letter of the Colombian Consul General directed against Theodore Roosevelt's recent utterances on his tactics in acquiring the Panama Canal rights, raises a larger question that involves the present activities of the former president.

Senor Escobar sharply criticizes Mr. Roosevelt for "Capitalizing your presidential prestige as the paid employee of a weekly journal," and believes

that in so doing he has "forfeited the consideration due to the high office you once held."

The Spanish-American gentleman is mistaken if he believes the people of the United States hold it a fault if an ex-president takes up some fitting remunerative employment after leaving office. It has rather been considered a misfortune that the very nature of that office has often made it so difficult for its retiring incumbents to re-establish themselves in their old professions or to find suitable new ones.

In the case of Mr. Roosevelt there can be no legitimate objection, from the North American point of view, to his performance of editorial duties for pay. There can only be objection when he utilizes his editorial position not as Theodore Roosevelt, but as the ex-president.

Unfortunately, it is the latter that Editor Roosevelt has been doing with increasing vigor since his return from Africa, and if it is for this that Senor Escobar seeks to criticize him that criticism is certainly well taken.

No more tasteless spectacle could be imagined than this recent one of Mr. Roosevelt editorially harping on the achievements of his administration, "getting back" and not infrequently abusing his critics and reasserting his own infallibility.

If Mr. Roosevelt's official acts require commemoration or defense at this time he can depend on his many able followers to tend to the business; it certainly is not for him to keep on shouting "I did it" and "I was right."

By doing so he not only detracts from his prestige and weakens his influence with sensible men but makes his country appear ridiculous in the eyes of the outside world.—*Milwaukee Free Press.*



## HOW ROOSEVELT CLEARED THE WAY OF NATIONS BETWEEN SEAS.

Colonel Roosevelt's recent declaration that he did right, absolutely right, in forcing the hand of Colombia from the Canal strip, and in all that he did, said and explained because thereof, and that those who aver to the contrary are any number of bad things, has had a not unexpected result.

The colonel's very positive statement has "drawn" the fire of Phanor J. Eder, whom the colonel has lighted up to view of a hitherto unknown universe. Mr. Phanor J. Eder is a New York lawyer, now at 80 William street. He is also Vice-Consul for Colombia in that city, and the *Outlook*, to which Colonel Roosevelt is the contributing editor, most considerately prints in full the letter in which he takes issue very severely with the distinguished contributing editor himself.

Since Mr. Eder wrote to the *Outlook*, Consul General Francesco Escobar of Columbia has supplemented the Vice-Consul's letter to the *Outlook*, and all the papers have printed it, in whole or in part. Officially, a Consul General outranks a Vice-Consul, but love and journalism level all ranks, and we have found the Vice-Consul's letter in the *Outlook* to be more interesting and informing than that of the Consul General to the newspapers of the day. The Vice-Consul first correctly condenses the colonel's editorial and then replies to it point by point. Our readers, or at least those of them who find diplomatic disputation interesting, may have read the colonel's article, the Vice-Consul's reply to it, and the reply of the Consul General to it also. Such readers and the general public will bear with us in



saving them from a reproduction of the articles, for which we have no time in crowded hours or space in crowded columns. They must trust the *Eagle* to do no injustice, or at most to intend to do no injustice, in its own condensation of the whole controversy.

President Roosevelt determined to begin to build the Isthmian Canal. He knew that the transcontinental railway companies had an interest in preventing the building of it. He felt sure, and he was right, that the American people were in favor of the canal and had become convinced of certain things as to the matter. They were convinced the Panama route was the best. Some scientists, some tourists, some surveyors and some financiers and speculators preferred the route across Nicaragua. So did several Senators and Representatives. So, however, did not Mr. Roosevelt. The way in which a prescription of the Nicaragua route was avoided and a workable option for the Panama route was obtained is well known.

How this workable option *was* "worked" has become fact. The methods employed and the responsibilities taken are also fact, but the equities or rights or obligations, whether moral or legal, that did or should follow therefrom are the subject of the present contention. Mr. Roosevelt contends that the American people and the best minds of other nations wanted *a* canal between oceans. Right. He contends that a great majority of the American people wanted it at Panama. Right. He contends that the people of Panama wanted the canal there. Right. He points to the fact that Colombia sought so to obstruct and condition the making of the canal that the wishes of the people of Panama would be disregarded. Right. This is not disputable.

Dispute comes in on what follows, not on the facts, but on the legality or equity of the facts. The people of Panama seceded from Colombia. They set up a state of their own. Colombia was prevented from putting them down, by the armed forces conveniently present on United States men-of-war, landed ostensibly to protect the railroad across Panama, which by treaty the United States had a right to protect, and which, presumably, Colombia might have injured had it been allowed to put down the revolt. It was not allowed to put the railway in jeopardy! Incidentally, it could not get within striking range of the new republic, which the government "recognized" nine days after it heard it had been set up! This was a record recognition.

Not long afterward the State of Panama made a treaty with this Government, giving to it the use and control of the Canal strip, and the construction and government of the canal itself when completed. This Government had bought out the old Canal Company and had offered to Colombia \$10,000,000 for construction privileges in the Canal Zone. Colombia rejected that offer. The Colombian contention now is that this nation so abetted the secession of Panama as really to have instigated it, and to The Hague Tribunal should be referred our whole action, with any damages due to Colombia on account thereof. Neither to arbitration, nor to any review of our action, nor to any question of damages, has our Government consented. It is believed it never will.

Mr. Roosevelt's contention is that we did what was ideally right and we should never let anyone question it. Colombia refused compensation, and should forever be left to stew in the juice of her own contumacy. The characterization by Colombia



of our nation's action and of Mr. Roosevelt's volunteered defense of it has been set forth. The contention of Mr. Roosevelt has been set forth also. The adjectives on either side can be let pass. The ethics of the procedure and the equities from it, if any, are a matter, the one for academic and the other for diplomatic consideration. We do not think the ethics of the procedure are so complete as could be wished on our part, but they are far better than many equally arbitrary courses other nations have taken.

Nations act on facts, and salute ideals. So acting, strong nations push weak nations to the wall, especially when the latter are in the wrong, as Colombia was when using her control of Panama as a block to the need of nations for the canal, whether a block for mere blackmail or for prevention of any canal matters not. Our "production" of the secession of Panama was morally questionable. It is irreviewable. As an antidote to international obstruction or international blackmail it may have been necessary. It was effective. It should be educational. Colombia's rejection of the treaty which would have reimbursed her in \$10,000,000 was shortsighted. She has no standing in the court of nations for a loss as to which she refused the very idea of compensation and the amount offered as compensation. This offer was made long before the secession and when we were dealing with Colombia alone.

The country that, if you please, improvised or instigated a rebellion, that may have financed it and has sustained it, had an excuse or a justification in this overthrow of a highwayman on the path of all nations. The case can be trusted to the tribunal of time and to the Master and Maker of



worlds. To the ultra-technical few, the longing of the ages and the dream and need of the centuries for the marriage of the oceans and the universalization of commerce and civilization would excuse or call for no summary action. We rejoice that the United States as the constable of Christendom in the auspicious hour of Providence took such summary action, and we are not sorry that a President with vision was at that time the President of the United States.—*Brooklyn Eagle*.

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### ESCOBAR TO THE COLONEL.

Francisco Escobar, Consul-General of Colombia, has taken the hide off The Colonel in a letter which he has written in reply to The Colonel's recent boasting that he had taken Panama and was proud of it, and The Colonel says, by way of rejoinder: "Gracious me, I would not think of answering it any more than I would think of flying." When The Colonel was asked by the reporter for *The Herald* if he would not look at Escobar's letter, he said: "No; I don't intend to pay any more attention to it than I would to the ravings of Debs or other crazy Socialists on the McNamara trial. I'll have nothing whatever to say about it."

This is no reason, however, why fair-minded Americans should not know what Escobar thinks of The Colonel, whom he characterizes as capitalizing his Presidential prestige as the paid employee of a weekly journal and of misrepresenting the facts in what he calls the "rape of the Isthmus." Escobar reminds The Colonel that he has refused to answer the charges that he violated a public treaty in which the United States had pledged its

honor as a nation to guarantee the sovereignty of Colombia, a friendly republic; that he recognized "the fake Republic of Panama in defiance of the accepted principles of international law," and that he prostituted the Navy of the United States to the same end. "Instead of answering these charges," says Escobar, "you hurl insults and slanders at the unfortunate country you robbed of her most valued possession." Continuing, Escobar says:

"You say that 'Colombia had shown herself utterly incompetent to perform the ordinary governmental duties expected of a civilized state.' In summing up your actions as President, you declare, 'We did harm to no one save as harm is done to a bandit by a policeman who deprives him of his chance of blackmail.'

"When you speak of blackmailers and bandits, Mr. Roosevelt, have you forgotten the ultimatum you sent to Colombia, threatening her with dire results if her Senate did not ratify without amendment the 'treaty' written by the attorney for the Panama Canal Company? Have you forgotten the American marines landed by Admiral Glass and sent into the Atrato region to Yavisa and Real de Santa Maria? Who was blackmailer and the bandit then?"

To all of this fearful arraignment The Colonel replies: "I have absolutely nothing to say about the matter"; and this from the champion of human rights, from the upright teacher and leader of men from whose unctuous lips we have been accustomed to hear high-sounding orations about the goodness of goodness, the righteousness of truth, the sinfulness of sin and the honor of the United States. But Escobar has put a plaster on the back of The Colonel which ought to draw, and which will certainly



make those who have been rather proud of the Panama steal think about it again.—*Richmond Times-Despatch.*

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### FROM THE EVENING POST.

We have no idea that Col. Roosevelt will object to the violent language in which the Consul-General of Colombia replies to his recent article explaining how he "took" Panama. Senor Escobar merely shows that he does not flinch and knows how to hit the line hard. One of his sentences, however, may seem in violation of the rules. He speaks of Mr. Roosevelt as having "capitalized" his "Presidential prestige" in becoming "the paid employee of a weekly journal." This might almost be taken as an insult to the newspaper profession. Why should it not offer employment to an ex-President as well and worthily as the law did to Mr. Cleveland and Mr. Harrison? All editors felt that Mr. Roosevelt was paying them a great compliment by joining their ranks. They cherished the hope that he would do something to elevate the calling. But in this they have been disappointed. One of the great offences of modern journalism is editorial bragging. It is a constant source of mortification to those who strive to keep the profession gentlemanly. What can be more vulgar, for example, than Mr. Hearst's trumpeting of his own praises, and shrill glorification of his own achievements? But he was fairly outdone by Mr. Roosevelt's article arguing that his acts as President ranked him with Washington and Lincoln. To do such a thing, and to be highly paid for doing it, is surely not the way to "raise journalism to a higher plane."—*New York Evening Post.*



### WHO WAS THE BANDIT?

When Uncle Sam acquired the Panama Canal Zone there was a very strong suspicion throughout this country that the Roosevelt administration was asserting the doctrine that "might makes right," at the expense of the republic of Colombia. We acted toward that country in very much the same way that Italy acted toward Turkey. Italy wanted Tripoli and took it. The only thing that prevented her from grabbing it sooner was—not fear of Turkey, but the danger of incurring the displeasure of other European powers. And so when we wanted Panama we encouraged, if we did not actually inspire, a revolution that was made short and sweet by our prompt recognition of the independence of Panama.

Panama belonged to Colombia, and if Colombia had been strong enough to successfully resist the United States, this country might have been forced to accept her terms before starting to construct the Canal across the Isthmus. But Uncle Sam is bossing this hemisphere, and there is no nation in either of the Americas big enough and strong enough to dispute her authority. Colombia couldn't do it; almost before she had opened her mouth to protest President Roosevelt warned her that she might expect a spanking if she got gay. That is the naked truth about the Panama transaction, as most people understood it; but there was a general feeling that Colombia was insisting upon unreasonable terms in the matter of the ditch that Uncle Sam wanted to dig, and therefore there was a disposition to look upon the end as justifying the means.

President Roosevelt evidently regarded the Panama grab as the greatest achievement of his admin-

istration. He has been somewhat chesty over it. In a recent issue of the magazine of which he is a "contributing editor" appeared an article from his pen entitled "How the United States acquired the right to build the Panama Canal." The ex-President is unnecessarily severe in his criticisms of a sister republic with which the United States is at peace. He refers to Colombia as a government "by a succession of banditti"; as an "archaic despotism, inefficient bloody and corrupt"; and he declares that as president he "did harm to no one save as harm is done to a bandit by a policeman who deprives him of his chance of blackmail."

As to the impropriety of Col. Roosevelt making such accusations against Colombia there can be little doubt. The insults of the ex-President are re-sented in a letter to Roosevelt, written by Francisco Escobar, the Colombian Consul General, which he has just made public. Mr. Escobar proves that he can handle vitriolic English about as well as the colonel. "When you speak of blackmailers and bandits Mr. Roosevelt" he wrote "have you forgotten the ultimatum you sent to Colombia threatening her with dire results if her Senate did not ratify without amendment the 'treaty' written by the attorney for the Panama Canal Company? Have you forgotten the American marines landed by Admiral Glass and sent into the Atrato region to Yavisa and Rel de Santa Maria? Who was the blackmailer and the bandit then?" Continuing, Mr. Escobar broadly intimates that the Colonel has not told the truth, and concludes by leaving the matters involved to the conscience of the American people. Col. Roosevelt seems to have displayed as little consideration for Colombia in his magazine article as he did in the grab of the canal strip. His



attitude throughout has been that of the bully.—  
*Wheeling (W. Va.) Register.*

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### **THOSE COLOMBIAN GRIEVANCES.**

That Senor Escobar from Colombia who was assailing ex-President Roosevelt and charging that he robbed Colombia of her fairest treasure when we acknowledged the independence of the State of Panama, talks very much like a baffled conspirator who has been trapped. The little quarrel between him and the ex-president does not count for very much in this country, but it keeps alive the fact that Colombia, after agreeing through her minister to do certain things, and getting the United States very much involved, hung up its own promises for the sole purpose of making a bigger graft, and got the worst of it.

It reminds us of Bill Gibson's poker game in Nevada. He lost steadily for six hours and made the whole atmosphere blue with his anathemas against luck and other things. All this time the gentleman across the table was quietly smiling and making no outcries; but the luck changed, after a while Gibson began to win, and finally took in an immense jackpot which left his opponent utterly stranded, whereupon his opponent arose from the table and not only outwaited Gibson, but at the same time beat his own head against the wall of the room to punish himself for being so great a fool. Then someone asked Gibson what he thought of his former opponent's performance. Gibson replied:

"It is all right. It is his time to swear."

And looking over this correspondent we all recognize that this is a good time for Colombia to swear.



She had a good stake in hand; she played for a bigger one, played with marked cards, as she thought, and lost. Now it is her turn to have a grievance.—*Salt Lake City Telegram*.

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### **NOTHING TO BRAG ABOUT.**

Consul General Francisco Escobar of Colombia has written an open letter addressed to Mr. Roosevelt in reply to an article, recently published by the Colonel, attempting to justify his course in relation to Colombia, when he was president.

It seems unfortunate that the former executive was not governed in this matter by the advice to "Let sleeping dogs lie."

Instead of doing this the Colonel stirred up the whole nasty mess again, and it is not an incident over which any American can feel any pride.

The Consul General of Colombia, in his communication, seems to have the better of Mr. Roosevelt, and he rightfully objects to having Colombia compared to a bandit and blackmailer, something which the Colonel did in his article.

There can be no question that the great and powerful United States, under Mr. Roosevelt's direction, coerced a little sister republic in a most outrageous manner.

The excuse was that ends sought to be obtained justified the means employed to gain them.

The rebellion in Colombia which resulted in the division of that country and the establishment of the tiny republic of Panama, was undoubtedly brought about by American influences and sustained by United States marines.

Colonel Roosevelt says this action made it possible to start digging the canal sooner than if mat-

ters had been allowed to take their usual diplomatic course.

This is undoubtedly true, but what was done to Colombia at the best is not a subject to brag about, but one to keep as quiet as possible concerning, for it will not bear close scrutiny.—*Butte (Mont.) Miner.*

### A CANAL ECHO—ESCOBAR.

Nobody questions that the action of the Roosevelt administration in recognizing the Republic of Panama was high-handed and arbitrary. Had Colombia been a first-class power such a course as was followed would not have been dreamed of.

The impression prevailed then, and prevails now, that the Roosevelt administration did only what it had to do. Bogota had had ample opportunity to arrange a treaty with the United States which would protect the rights and serve her just interests. This was not done. Nor from the conditions prevailing at Bogota could it be expected that anything would be done.

Mr. Roosevelt has made several statements in defense of the administration's conduct, as well as his own, in this affair. At the time he insisted strenuously that everything done conformed perfectly to the niceties, usage and precedent of international law. Since then he has intimated that he did what he did because it had to be done.

Now comes the Consul General of Colombia questioning one of the Roosevelt versions. The Colonel, it would seem, is prepared for any such attack. He is on record that the project was arranged with the strictest regard for the conventions. He is on record that "I acted first and let Congress talk afterwards."

The Colonel's position is securely fortified. He built the fortifications himself.—*Joplin (Mo.) Globe.*

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### SCORES ROOSEVELT.

Francisco Escobar, Consul General of Colombia, has written Col. Theodore Roosevelt a scorching letter in reply to the recent published article of the ex-President on "How the United States Acquired the Right to Build the Panama Canal."

There are some interesting questions propounded by the Consul General and he throws some additional light upon how the United States secured the right to the Panama Canal. He says the President dealt unfairly with Colombia and that he violated the treaty with that country.

"When you speak of black-mailers and bandits, Mr. Roosevelt, have you forgotten the ultimatum you sent to Colombia, threatening her with dire results if her Senate did not ratify without amendment the 'treaty' written by the attorney for the Panama Canal Company?" asks the Consul General. "Have you forgotten the American marines landed by Admiral Glass and sent into the Atrato region to Yavisa and Real De Santa Maria? Who was the black-mailer and bandit then? Who has told the truth about this matter all along?"

While it is true the letter is addressed to Colonel Roosevelt as a citizen, yet it criticises his action while he was President. The writer says he was writing to Roosevelt as an "individual and do not wish to reflect either upon the government or the people of the United States, for whom I have the deepest respect and regard." This is a delicate matter and may call for the government taking



some action. The letter was written in answer to an article written by Colonel Roosevelt since he left the President's office, but this does not give him the liberty to criticize the government.—*Montgomery (Ala.) Journal*.

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### IS COLOMBIA RIGHT?

It is unfortunate that there is a feeling in Colombia and South America generally that the United States dealt unfairly with a weaker nation in acquiring title to the canal zone at Panama. That such a feeling exists is evidenced by the bitter reply which Francisco Escobar, Consul General of Colombia, hurls at Theodore Roosevelt's recent article, "How the United States Acquired the Right to Build the Panama Canal."

The action of this country in recognizing the little republic of Panama is denounced as a violation of treaty provisions. The stiff message which Mr. Roosevelt sent to the Colombian Congress demanding a ratification of the proposed canal agreement is recalled. In fact, the controversy as to the entire affair is revived in a manner that cannot fail to attract the attention of the American people.

Mr. Roosevelt in his article, which appeared in a recent issue of the "Outlook," took the position that Colombia attempted extortion and did all in its power to "hold up" this country on the price. Probably Colombia did not act the part of wisdom and fairness in the negotiations. At that, however, it does seem that the recognition of the Panama secessionists was rather premature. This country was never so quick before in recognizing a new state. If the revolution came as a surprise to the administration the latter certainly succeeded in acting as

though it had been expected. Indeed, there are those who say that the revolt was encouraged to give this country the desired canal concessions.

Passing the question of each nation's conduct in the matter, it remains true that not only in Colombia but throughout Latin America there is a distinctively anti-American sentiment based on the canal affair. As one of the chief aims of this great engineering undertaking is to bring this country and those to the south into closer communion it would seem only wise to recognize the basis of this feeling and to do what can be done to counteract it. If Colombia thinks it has a grievance against this country that grievance should be given consideration and if a wrong has been done compensation should be made.—*Grand Rapids (Mich.) Press.*

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### THE COMPLAINTS OF COLOMBIA

The report which comes from the Republic of Colombia that the authorities have prepared a school history in which the United States are charged with procuring by fraud the strip of land known as the Panama Canal Zone has to us a very unpleasant sound.

Theodore Roosevelt, who was President of the United States at the time the alleged offense against a sister republic was committed, is, the Colombian school history recites, "the soul of the conspiracy" through which the territory was taken from Colombia.

The book is reported to reveal the fact that those in authority in Colombia are very sore over the transaction and their purpose is to, through the



placing of it in the public schools, transmit the vendetta to posterity.

We seem to recall somewhat vividly the remark of Colonel Roosevelt that he "just took" the strip of land in question and are sorry to record the fact that we have no firm belief that the transaction was one which reflects credit upon the United States.

We should look with great favor upon a complete examination into the transaction of the Congress of the United States, holding that this nation cannot afford to be placed by any one in the attitude of having wronged another people, especially one numerically inferior.

It will not do to brush aside the contention of the Colombian officials that their country was wronged in the transaction.

The world long refused to listen to the cry of the Irish, to whom was accorded no share in the government of their country, but the hour came when even the English, slow to act in a matter of this sort, gave heed to the cry of the Irish and began reform of their method of governing Ireland.

Colombia is a long way from the United States and the cry of the Colombians transmitted over the intervening space sounds faint. It will sound louder though and will echo over this country in time if their complaint really is just and it would be better were we to settle this matter now once and for all.

The country which has kept faith in the matter of Cuban intervention, has tried to fairly treat and govern the Philippines and Porto Rico and has been just, if indeed not generous, to China in the matter of the Boxer award cannot afford to let the world and especially the South Americans, Central Amer-



icans and Mexicans question its intent to be unjust to no other people under any condition whatever.—*Norfolk (Va.) Despatch.*

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### COLOMBIA WILL NOT FORGET.

The Colombian Republic was physically unable to prevent the success of the conspiracy by which Uncle Sam deprived it of the state of Panama. But it is apparently intelligent enough to understand the *modus operandi* of the game, and nervy enough to tell about it upon all proper occasions. It has even recently gone to the length of providing its public schools with histories which teach and thoroughly expose the wretched part played by the Washington administration in fomenting a fake rebellion on the Isthmus, and in treacherously lending its warships to the service of the seceders. Not only this, but in terms and by name do these school books outline the perfidy of Theodore Roosevelt, who, as President, was responsible for the fact, and who outraged the first principle of international comity, and far exceeded his rightful jurisdiction by actively exerting himself in aid of the shameless robbery of a sister Republic. All of which is very brave in Colombia—but more interesting is the conjecture as to how Roosevelt will answer; to what extent he will denounce; and to what temperamental degree his choler will rise, when considering this crass method of discrediting him in the eyes of Colombia's school children. He may no longer thunder forth in angry declarations through messages to Congress—but there are the columns of *The Outlook* which he can make as hot as to him seemeth good.—*Lynchburg (Va.) News.*

### CONCERNING PANAMA.

The Republic of Colombia has adopted as an official history a work which accuses the United States of "criminal intent" in procuring the secession of Panama, and the Honorable Theodore Roosevelt, then President of the United States, is called the "soul of the conspiracy."

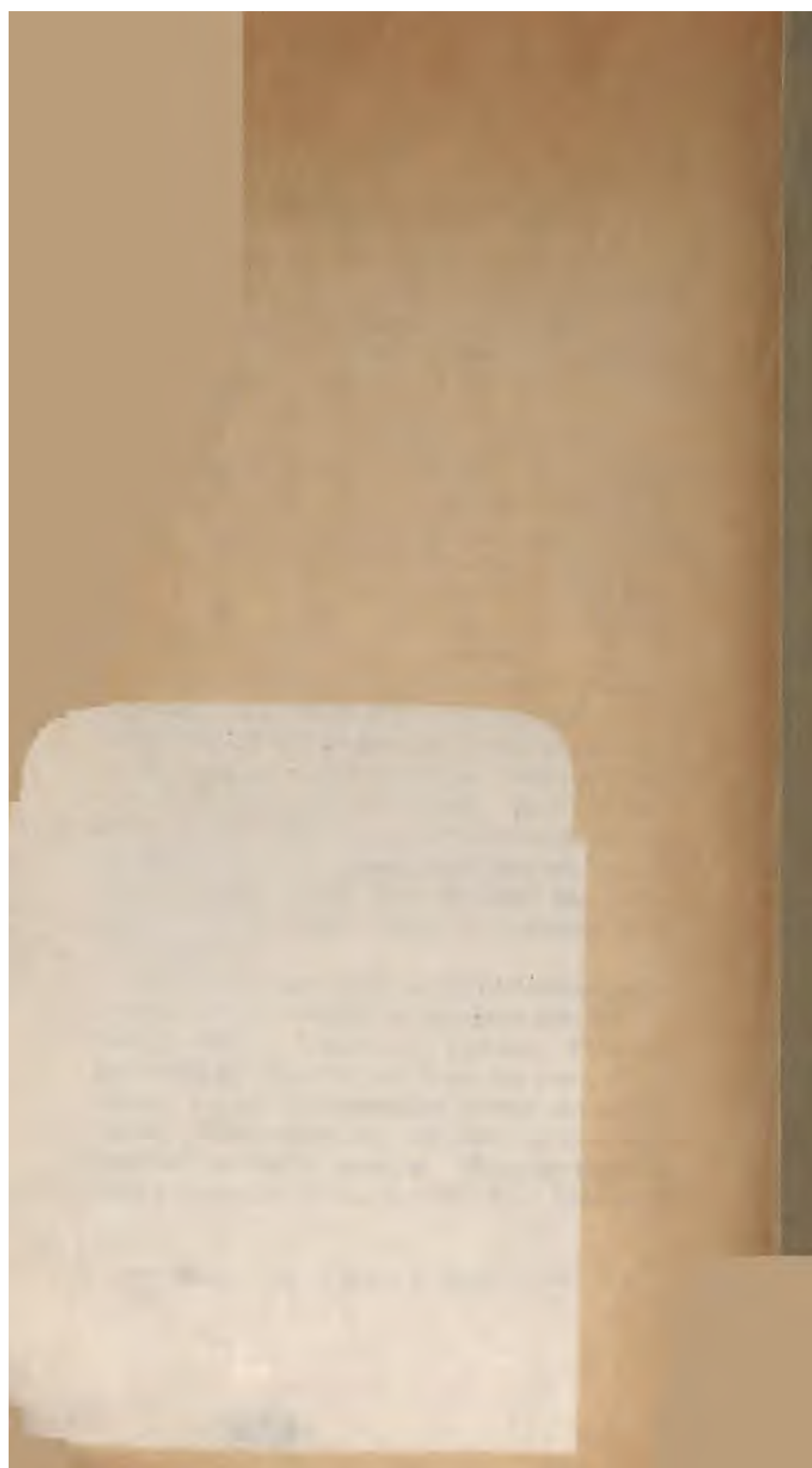
This will probably tickle the former President. Mr. Roosevelt is perfectly satisfied with the part he played in fomenting the trouble which led to the acquisition of the Canal Zone, and he could not, if he would, deny that the action of the government under his direction when it "recognized" the seceded republic quite effectively prevented Colombia from punishing her rebels.

The Panama Canal is a work of tremendous consequence to the world and it is well that it was undertaken, but Colombia surely had some right in the premises which her larger neighbor might have considered more courteously. That Colombia displayed shortsightedness and perversity can not be denied, yet it is equally sure that no international tribunal would have condoned the course adopted by the United States to controvert these tendencies.

It is said that each child in the Colombian public schools will be required to memorize the chapter dealing with the secession of Panama. This will mean that the republic will foster for years, if not forever, a spirit of antagonism toward the United States. This country can not afford to have such enmities in South America. Panama itself is hardly worth the price.—*Norfolk (Va.) Landmark.*









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